Diaminan

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HONOLULU, H. T., FRIDAY, JANUARY 1. 1904-SEMI-WEEKLY.

WHOLE No. 2551.

FLESH TRAMPLED FROM BODIES AT IROQUOIS FIRE

(ASSOCIATED PRESS CASLEGRAM)

CHICAGO, Dec. 31 .- The holocaust at the Iroquois theater on side of the question-this being the va-Randolph street between Dearborn and State, which occurred during the production of "Mr. Bluebeard," was the most distressing of any that ever occurred in the United States. No less than 562 dead validity of the Act. It was defended bodies have been taken from the theater, besides a large number of by A. S. Hartwell and Wm. T. Rawlins. injured, many of them fatally.

The cause of the fire was a faulty electric wire which ignited of quo warranto. the scenery. An attempt was made to drop the asbestos curtain Justice W. F. Frear and Associate Jusbut the latter stuck half way, while the flames spread as through tices C. A. Galbraith and A. Perry. tinder. The gas tanks took fire and exploded, spreading the flames into the auditorium. The theater was crowded with an audience of the substance of the speeches as consisting mainly of women and children who fought tooth and could be furnished in available space: nail to escape. The exits were jammed with a struggling, shrieking, dying mass of humanity. Flesh was trampled from bodies in SUMMARY OF THE the mad rush for safety. But a few people were burned to death, the most of the victims being asphyxiated and then mangled under foot. An unfinished fire escape proved to be a death trap. The actors escaped by the stage exits. Many prominent families suf- ing statement, states the main case fored losses. While the fire was in progress the police had great thus: difficulty in handling crowds of frantic relatives.

WASHINGTON, Dec. 30 .- Minister Squires returned to Cuba today.

WASHINGTON, Dec. 30.- Japan and Costa Rica have recognized the Panama Republic.

PORT OF SPAIN, Dec. 30 .- The cruiser Detroit has been ordered to San Domingo to relieve the Scorpion.

SAN FRANCISCO, Dec. 30.-The gunboat Bennington with the torpedo boat destroyers Preble and Paul Jones sailed for Panmitted, an order was made dismissing the petition, from which order the plaintiff has appealed to this Court.

WASHINGTON, Dec. 30 .- The Federal Department of Commerce will assume charge of and pay for the Hawaii lighthouse service after January 1st, as a part of the Twelfth Lighthouse District. The assistant inspector will reside in Honolulu.

CHICAGO, Dec. 30.—A veritable harvest of death occurred at Act to Provide a Government for the the new Iroquois theatre today, caused by an outbreak of fire during Territory of Hawaii," approved April the course of a matinee performance of Bluebeard. the course of a matinee performance of Bluebeard.

The house was crowded and the alarm of fire from the stage immediately spread panic throughout the audience. The flames made headway with terrific rapidity and in a very short time the mass of struggling human beings were enveloped in fire.

From 300 to 500 persons are believed to have perished in the holocaust. The bodies are piled in charred heaps within the theatre and at all the exits. Many tried to escape from the balconies and were cut off by the flames, only to be turned back to meet death in the seething furnace of the burning theater interior. Scores of persons were injured and it is impossible at this time to give a list of those killed. Many of the employes were lost in the flames.

The fire and police departments responded quickly but the men were unable to accomplish much to save life or property on account of the fearful rapidity with which the flames spread and the impossibility of controlling the panic-stricken people.

MR. IAUKEA WILL **DISPUTE THE BOND**

furtis P. Iaukea, the elected assessor Dahu county, in the Treasurer's ofvesterday showed an Advertiser rerter some figures he had obtained there to prove that the Board of Supervisors exceeded the demands of the County Act in fixing the amount of his official bond.

"More than 75 per cent of the \$390,-649.92 which was represented to have been in Assessor Pratt's hands in one day," Mr. Iaukea said as he referred the memoranda, consisted of checks. These checks represented deposits in banks subject to the order of Treasurer, therefore could not rightly be classed as money in the hands of

"Moreover, the \$390,000 and odd constituted the collections of five days, the last collection days without penal ty at that, which always yield the heaviest receipts of the tax office.

"The checks on bank deposits amounted to \$271,010.79." Mr. laukea did not attribute ma

licious intent to the Supervisors, but considered they had been misled by the figures as unexplained to them. He hinted plainly at taking legal steps for compelling a revision of the bond proceeding, should the Supervisors refuse to reconsider their action and bring the amount within the reasonable intent of the law as he understands it.

One of the amusing suits filed by Assessor James W. Pratt against a Ho-nolulan for his last year's income tax, turned up yesterday when a man received a summons to pay an income tax

This amount was assessed on his income for 1902. The suit came up in The plaintiff claims that on or about the court yesterday, but having been october 6, 1900, the defendants executed ettled beforehand, was dismissed. The and delivered a promissory note to him

OFEICE ABOLIHED TO SAVE SALARY

Governor Carter has accepted the resignation of Theodore F. Lansing as Commissioner of Immigration, and will probably issue a commission to the Secretary of the Territory or some other official to perform the duties of the office. As a self-contained position with a salary annexed the office is, for the present at least, abolished. It was created, or rather recreated from pre-annexation existence, by the last Legislature for the purpose of promoting the introduction of settlers and field laborers.

In making the announcement yesterday afternoon, the Governor wished it distinctly understood that the acceptance of Mr. Lansing's resignation was no reflection on his handling of the

THRUM RETIRES AFTER TODAY

Thos. G. Thrum will retire after today as Registrar of Conveyances, a position he has held continuously for fifteen years, through the successive changes of government. Mr. Thrum became registrar in January, 1888, and has served faithfully under the mon-archy, provisional government, republic and territory. His work will be taken over by the county cierk, H. E. Murray.

E. H. Austin of Hilo has filed suit against William T. Paty and Elizabeth W. Paty, his wife, to recover \$2353.33. efendant, however, had to pay \$4.56 in for \$2,000. Principal and interest now amount to \$2252.33.

COUNTY ACT TEST CASE ARGUED AND SUBMITTED

Court yesterday, together with Treasurer Kepolkal's case against the same things under this head: enactment by permission. It occupied full court day. There was no sham fight element apparent, but an earnest and powerful presentation of each lidity or invalidity of the measure as

C. R. Hemenway, H. E. Cooper and S. H. Derby in turn argued against the J. A. Matthewman closed the argument on behalf of the Territory for the writ

The full court was present, viz: Chief

An abstract of the briefs filed is given below, which forms as full a report

PLAINTIFF'S BRIEF

The brief for the plaintiff in its open-

STATEMENT.

On December 24th, 1903, a petition for a writ of quo warranto was brought by the plaintiff to the First Judge of the Circuit Court of the First Judicial Circuit, praying that the defendants be required to show by what authority they claimed to act as Supervisors of the County of Oahu, Territory of Hawall. On the same day the defendants answered, claiming to act as such Susion Laws of 1903 of the Territory of Hawaii. The matter having been sub-

ARGUMENT. It is contended by the plaintiff that the said Act 31, known as the County Act, is invalid, because in contraven-tion of an act of Congress entitled, "An the particular grounds of objection be-

1. That the County Act provides for elective boards of a public nature, instead of boards appointed by the Gov-ernor, as required by the provisions of said act of Congress

2. That the County Act requires certain appointive territorial officials, as, for instance, the Superintendent of Public Works, to surrender to certain elective County officials, the care and custody of public property entrusted to the charge of such appointive terrisaid act of Congress. .

subjects, in violation of said act of of Public Institutions as merely an First National Bank yesterday. "Al-

4. That the County Act, as amended. never passed the House of Representa-ELECTIVE BOARDS.

The brief takes up Sec. 80 of the organic Act, giving the Governor the appointing of "boards of a public character," and admitting the election of the Supervisors, denies that boards under the County Act are exceptions to that stipulation of the Organic Act. On this the brief, which was prepared by Messrs, Matthewman and Hemen-

The contention of defendants requires other boards of a public character." necessitating, in effect, the insertion of the words, "excepting proposed county boards,"

The plain meaning of the words used in this section indicates that Congress "Ti Hawaii should have county government without supervisory boards at all, or that such boards should be appointed

by the Governor.
"In some jurisdictions the corporate powers of a county are exercised by the county court, instead of by a board of county commissioners."—7 Enc. Law (2nd Ed.) 940, Note 1.

SURRENDER OF PROPERTY. Section 91 of the Organic Act pro-

"That the public property ceded and transferred to the United States by the Republic of Hawaii, under the joint resolution of annexation, approved July 7th, 1898, shall be and remain in the possession, use, and control of the government of the Territory of Hawaii, and shall be maintained, managed, and cared for by it at its own expense until otherwise provided for by Congress, or aken for the uses and purposes of the United States by direction of the President or of the Governor of Hawaii." By the said joint resolution the said cation property included "public property of every kind and description belonging to the Government of the Hawaiian Isl-

Here the brief quotes about 30 sec-

The County Act test case was argued tions of the County Act which transand submitted before the Supreme fers various kinds of public property, and then proceeds to say among other

> The Organic Act specifically provides that this property shall remain in the possession of the government of the Territory of Hawaii, until otherwise provided for by Congress, or taken for the uses and purposes of the United States by direction of the President or of the Governor of Hawaii.

These transfers having been made in the County Act, either this property is placed beyond the control of the Governor, or he has the power to take away from the counties property considered necessary to their existence.

In regard to the property acquired by the United States, the Territory of Ha-waii stands in a trust relation. It is one thing for Congress to entrust public property to appointive officials re-sponsible, in the last instance, to the President, and another thing for such property to be left to the control of lective officials.

If the possession, use and control of property belonging to the United States can not be transferred from the Territory of Hawali to proposed countles, the County Act is left in a condition so different from what it was when it came from the Legislature as to make it an act of legislation on the part of the court to put it in force.—Meshmeler vs. State, 11 Ind., 482, 485.

PLURALITY OF SUBJECTS.

Section 45 of the Organic Act pro-That each law shall embrace but one

subject, which shall be expressed in its title." In considering this point, it is well to recognize and distinguish three class of cases in violation of the principle

above expressed. First are the cases where the title embraces more than the body of the act. So much of the title as does not refer to the body of the act is to be

treated as surplusage.
Secondly, there are cases where the body of the act embraces more than is indicated by the title. In cases of this sort so much of the body of the act as is not indicated by the title is

In the third place are the case where the title embraces two or-more subjects, referring to two or more similar subjects in the body of the act. The whole act in such instances, is void, because of the difficulty in choosapproved April ing between the subjects.

It has recently been decided by this Court in the case of Dole et al. vs. Cooper, that the title to the act in quer tion does embrace two subjects, and, in effect, reads, "An Act providing (1) for the organization and government of counties and districts, and (2) the management and control of Territorial works and institutions." It was also

the functions of the territorial legis-lature for this Court to declare one which will always keep it above par. It might be otherwise if, in the above case, the Court had treated the Board redemption," said Cashier Cooper of the excrescence. It treated it, however, as together we redeemed \$815,000 worth of made it equally a subject, and, because it was as much a subject as County will not be accepted as legal tender." Government, the Court held that the act violated Section 45 of the Organic originally brought to Hawali, when

It is evident from a study of the whole County Act that territorial matters were treated and considered for a crowd of speculators saw a splen-

ing to counties alone. that the incorporation of these sec-tions in the County Act invalidate the whole act, although the sections them-selves may be invalid because not embraced in the title, but they are quoted to show that the legislature gave as much consideration to territorial mat forced construction of the words ters as to county matters, and that the Territorial Board of Public Institutions was not a mere excrescence,

NOT PASSED AS AMENDED. Section 46 of the Organic Act pro-

"That a bill in order to become shall, except as herein provided, pass three readings in each house, on which in each house shall be by a majority vote of all the members to months, and probably several thousand which such house is entitled, taken by dollars are tied up in this way. Colayes and noes and entered upon its journal.

It can hardly be disputed that the County Act, as amended in the con-ference committee, was not regularly passed by the House of Representatives. The question is, in part, at least, whether or not the adoption by the House, on an aye and no vote, of the committee's report was sufficient to constitute a passage of the bill.

To adopt the report meant, at most that the House amended the bill in the recommended by the confermmittee. It should then have he amended bill on its possage, was not done. As amended, never passed the House at all. The ourts have had to decide which better evidence-the authentif presiding officers, or the jouregislative proceedings. In this case, however, the court does not have of the to choose between two methods of proof mint.

the facts are admitted. There are many cases on the proposi-(Continued on page 6.)

WAR IN FAR EAST **NOW SEEMS TO** BE INEVITABLE

(ASSOCIATED PRESS CABLEGRAMS,)

LONDON, Dec. 31.-Baron Hayashi, the Japanese Minister, says that unless Russia agrees to the spirit of the Japanese proposals, war is inevitable. He believes France will not join Russia even if China co-operates with Japan.

LONDON, Dec. 31.—The Japanese government has purchased the warships Morena and Rivadavia, building in Italy, for the sum of \$7,500,000.

WASHINGTON, Dec. 31.-Minister Takahira says Japan has made its minimum proposition and that the outlook for a peaceful settlement is gloomy.

SANTIAGO, Chile, Dec. 31.- Japan is negotiating for the purchase of the battleship Capitan Prat and the Cruiser Chacabuco. . .

The Chilean battleship Capitan Prat is now thirteen years old. She is rated as a fourth-class vessel in comparison to battleships of other powers. The Prat is armed with four 9.4 inch guns, eight 4.7 inch guns, six 6-pounders, four 3-pounders, ten 1-pounders, five Maxims, and four torpedo tubes. At forced draught the vessel is capable of a speed of over eighteen knots. Her tonnage is 6,901 tons and she carries a crew of 480 men.

The Chacabuco is a protected cruiser, built in 1898, which Chile purchased in 1902. At forced draught this vessel makes a speed of twenty-four knots.

PRETORIA, Dec. 31.-The Legislative Council has voted for the introduction of Asiatics.

HAWAIIAN SILVER IS NOT LEGAL TENDER AFTER TODAY

the Kalakaus silver will pass out of existence today as legal tender. Only \$815,000 of the coin has been redeemed, and the remaining \$185,000 after today will be worth only about half of its face value, theoretically, for with all the dire predictions in the United drawn from the silver dollar, the Hawaiian coin will be worth just as much This being so, it would be usurping kaua coin is about one half its face

"Not a single dime was offered for pass muster in the Territory, coordinate with County Government, the silver. After tomorrow the money

There were \$25,000 worth of dimes

Claus Spreckels had a million dollars coined for King Kalakaua in 1883. The dimes didn't remain in circulation long, throughout as well as matters relat- did opportunity to make a little money on the side and bought in the entire It is not contended by the plaintiff issue of ten-cent pieces. After that the incorporation of these seca premium and they are quoted now at forty and fifty cents apiece. The re-maining \$160,000 which have not been offered for redemption are probably scattered to the four quarters of the The most of it, of course, is in the Islands still, although a great quantity was taken away by tourists for souvenirs. The bulk of it has been used in the manufacture of jewelrypins, cuff buttons, belt buckles and such things, while a good many thousands of dollars' worth of the coin is believed to have been melted in the blg Chinatown fire. All the jewelers have laid in an extra supply of the silver coins within the lectors of coin have also invested largely in the Hawaiian silver and although intrinsically the money won't be worth more than fifty cents on the dollar after today, yet the chances are that no Hawaiian dollars will be purchasable at less than a hundred cents on It is more probable that the money will be at a premium within

a few years. All the banks have posted notices that the Kalakaus coins would not be accepted as legal tender after today. This is in accordance with the act of Congress providing for the redemption and recoinage of the Hawaiian silver. There will be no shortage in money be-cause of the elimination of the Hawai-ian coins from circulation. Large quantities of silver have been brought here only recently to take the place of that shipped to the San Francisco

source of annoyance to the bankers ever since annexation as they virtually Kay.

After twenty years of faithful service were compelled to take the governthe Kalakaua silver will pass out of ment's place in keeping the money
existence today as legal tender. Only
standard at par. Neither the internal
revenue coffector nor collector of customs would accept anything but American gold or silver in payment of duties to the United States, and had they insisted upon this the silver would naturally have depreciated in value. avoid an embarrassment of this kind States of what might happen if the the four banks of the city agreed with backing of the government is with- Collector Stackable and Collector Chamberlain to redeem with gold all Hawaiian silver taken in for Federal duties. Had the collector insisted on decided in the same case that the body of the County Act embraced two subgetting American money in payment of drained of silver in less than six months. The redemption of the Hawaijan coin settles all difficulties and hereafter only American money will

Judge De Bolt has signed a decree of foreclosure of mortgage in the case of John Vivichaves vs. Manuel F. Pedro and Kaathue Kahulanui. P. Danson Kellett, Jr., is appointed commissioner to sell the property, sale to be on February 6, 1904. The property is a parcel of land at Kalaoa IV., North Kona, Hawali, containing an area of 561/2 acres, and with the amount of debt, interest, costs and attorney's fees is \$536, interest to date of sale and expenses of sale to be added.

Ninette Scott petitions for probate of the will of her late husband, John F. Scott, which names herself as devisce and legatee, also as executrix. The testator left, besides the widow, a son living at Rampart City, Alaska, and three daughters at Wanpun, Wisconsin. His estate consists of house and lot in Prospect street, Honolulu, valued at \$5,000, and personal property consisting of a horse valued at \$75 and a

value unknown. Judge Robinson has signed an order granting the petition of Thomas Paine Harris, guardian of his five minor children, for leave to surrender an insurance rolley in exchange for a new one, the petitioner having satisfied the court that the transaction is for the best in-

half interest in a gold mine in Alaska,

terests of the minors. In the ejectment suit of Agnes C. Galt vs. Lulia Waianuhea, Judge Robnson granted a voluntary nonsuit and dismissed the action at plaintiff's cost. Ballou for plaintiff; Withington for de-

The Hawaiian sliver has been a The Orpheum Co. Lau. In Thomas S. The Orpheum Co. Ltd., files a general

HAWAII AT WASHINGTON

Lawyers Hatch and Lewis Before Congress.

[Mail Special to the Advertiser.]

WASHINGTON, D. C., Dec. 17 .- All the efforts of Hawaiian people here during the last five days have been devoted to getting Senators and members of Congress interested in pending leg-islation, especially the bill to confirm the county act and the bill to confirm the electric franchise, in Honolulu. Mr. F. M. Hatch is still in town looking after the former measure; Mr. A. Lewis, Jr., is here looking after the latter measure. Both bills have been introduced in both branches of Congress. Both have been given a hearing before each of the committees that have Hawaiian matters in charge.

Yesterday there was a general hearing before the House Committee on Territories. In that connection it is interesting to add that Delegate Kalanianaole has been made a member of the Territories Committee. This was at the request of Chairman Hamilton, who desired to have the delegate there to answer questions and present the Hawaiian side of Hawaiian matters which come up for action. "Uncle Joe" Cannon was adverse at first. "My boy," said he. "Hamilton has too large a committee already. It won't do."

"But he told me to come and ask you to put me on that committee," protested the Hawaiian Delegate.

"All right," replied "Uncle Joe." "I will put you on.'

The committee now has nineteen members, as all the territorial delegates have been added to its membership but they have no vote in committee. They can only look after the interests of their constituents there.

THE HEARING IN COMMITTEE.

At yesterday's hearing the time was chiefly divided between Mr. Hatch and Mr. Lewis. No objections were presentto either bill but the members present asked a large number of questions and the local situation was fully explained. Mr. Lewis followed the outline of a statement, which has been printed by request of Senator Foraker, concerning the case of the Hawaiian Electric Company, Limited, which is seeking the renewal of its franchise. After the hearing Mr. Lewis's bill, which has been introduced in the House by the Hawaiian Delegate and in the Senate by Mr. Foraker, was referred to a subcommittee, consisting of Chairan Hamilton, Ex-Gov. Powers, of Maine, and Representative Robinson, of Indiana, the last named being the Democratic member of the subcommittee. These are all good friends of Hawaii and a favorable report is looked for speedily.

The ratification of the county bill was referred to a subcommittee consisting of Representatives Spalding, of North Dakota, Sterling, of Illinois, and Lloyd, of Missouri, the last named being the Democrat. Some hearings before the subcommittees followed in which further details of the measures were ex-

This morning the same gentlemen appeared before the Committee on Pacific Islands of the Senate, in which virtually the same program was followed. Hatch and Mr. Lewis were heard in behalf of their respective bills. The interest in the measures and there is reason to believe that Mr. Lewis's bill at least, will be favorably acted upon If there is to be any serious opposi tion, it has not yet developed.

AMENDMENT TO ORGANIC ACT. Representative Robinson has intro-duced the following bill, which was referred to the Committee on Terri-

House of Representatives of the United States of America in Congress assembled. That section seventy-six of an Act entitled "An Act to provide a government for the Territory of Hawaii," approved April thirtieth, nineteen hunbe, and the same is hereby amended to read as follows:

"Sec. 76. That there shall be a superintendent of public instruction, who shall have the powers and perform the duties conferred upon and required of the minister of public instruction by the laws of Hawaii as amended by the Act, and subject to modification by the legislature.

"It shall be the duty of the United States Commissioner of Labor to col-lect, assort, arrange, and present in reports in 1905, and every five years thereafter, statistical details relating to all departments of labor in the Ter ritory of Hawaii, especially in relation to the commercial industrial, social, educational, and sanitary condisuch other subjects as Congress may by law direct. The said Commissioner especially charged to ascertain the highest, lowest and average number of employees engaged in the various in dustries in the Territory, to be classified as to nativity, sex, hours of labor. and conditions of employment, and to report the same to Congress."

CUBAN RECIPROCITY. debates on the Cuban reciprocity which came to an end yesterday,

r product of dawali. The debates, as a matter of fact, had a vast deal about sugar production in general and Senators ransacked the different bureaus of the government, where statistics about sugar could be found, to get material to weave into their speeches. It is expected that President Roosehaps today or tomorrow and that it will

immediately go into effect. The cus-

receipts will probably increase

enormously for a week or two, while the products, which have been held back, awaiting the enactment of the legislation, are rushed in under the

ower rates of duty. The nomination of Mr. Atkinson, to be Secretary of Hawall, was confirmed by the Senate yesterday. There was no opposition whatever and the delay was due only to routine causes.

OUR REVENUE CUTTER.

The bill to authorize the construction of a vessel of the first class for the revenue cutter service, to be stationed with headquarters at Honolulu, is getting a good start in this Congress. Senator Perkins, of California, has had the bill before two or three Congresses He introduced it December 10 this year providing for an appropriation of \$225,-000. The bill was considered by the Senate Committee on Commerce, of which Mr. Perkins, is a member, at its last meeting and a favorable report authorized. This report was drawn by Mr. Perkins and has already been submitted.

The two following letters from Sec-retary Shaw tell the history of the legislation in this Congress:

Treasury Department, Office of the Secretary.

Washington, November 19, 1903. Sir: I have to acknowledge the receipt of a letter, dated the 17th instant, from the Committee on Commerce, in-closing Senate bill 901, "providing for the construction of a vessel of the first class for the Revenue-Cutter Service, to be stationed with headquarters at Honolulu, Hawaii," for such suggestions as may be deemed proper touch-

ing the merits of the bill and the propriety of its passage. In reply I have respectfully to call your attention to my letter of Decemer 15 last (copy inclosed), in relation to a similar bill which was introduced at the last session of Congress, in which it was stated that the Revenue-Cutter Service should be represented at Honolulu by an able seagoing vessel.

A vessel of the class required can be

constructed, it is thought, for the sum named in the bill (\$225,000), and I recommend the passage of Senate bill 901, which is inclosed.

Respectfully,

L. M. SHAW,

The Chairman Committee on Commerce, United States Senate.

Treasury Department, Office of the Secretary,

Washington, December 15, 1902. Sir: I have to acknowledge the recelpt of a letter dated the 12th Instant, from the Committee on Commerce, inclosing Senate bill 6534, "Providing for the construction of a vessel of the first class for the Revenue-Cutter Service. to be stationed with headquarters at Honolulu, Hawaii," for such suggestions as may be deemed proper touch-

ing the merits of the bill and the propriety of its passage. In reply I have respectfully to state that there is not at this time any vessel of the Revenue-Cutter Service which can be spared for duty in the waters of Hawaii, and that the Service should be represented there by an able seagoing vessel does not seem to be open to question. The maritime laws of the United States, the enforcement of which comes under the purview of this Department directly and by implication, are fully applicable to our insular cossessions, and for their enforcement the Department must necessarily be

Cutter Service. Among these laws ma/ be mentioned-1. The protection of the customs rev nue (secs. 2747, 2760, 2762, 3059, R. S.). 2. Assistance of vessels in distress

largely dependent upon the Revenue-

(sees, 1536, 2759, R. S.). 3. Enforcement of the neutrality laws (sec. 5288, R. S.).

4. The enforcement of the navigation and other laws governing merchant vessels, suppression of mutinies on

board merchant vessels, etc. A suggestion for the empl private vessels for the purposes of the Revenue-Cutter Service should not be entertained. Such a course would re-sult not only in inefficiency, because of the absence of the commissioned ranks of the Service from such vessels, and therefore of indispensable authority for the proper government of the same, but it would be found exceedingly expensive and in every way unsatisfac tory to charter or hire vessels for this

All considerations in the interest of the Government appear to emphasize the necessity of making provision for ship for duty in the waters of Hawail, and I therefore recommend the passage of Senate bill 6534 without

The bill is herewith returned. , Respectfully,

L. M. SHAW.

The Chairman Committee on Commerce, United States Senate.

The early passage of the bill by the Senate is expected.

ERNEST G. WALKER.

LEASE SITE OF MUSEUM

The trustees under the will of Bernico Pauahi Bishop petition Judge De Bolt the Bernice Pauahi Bishop Museum a piece of land at Kalihi containing 0.381 acre. It is the site of the Bishop Museum and the lease is to be for nineyears, and the consideration \$500 for the entire term. In the description of the property the azimuth system, lately explained in the Advertiser, is employed. The Bishop estate trustees, petitioning, are J. O. Carter, W. F. Allen, W. O. Smith, S. M. Da-mon and A. W. Carter, who are also the Museum trustees with the addition of S. B. Dole and H. Holmes.

"That boy of yours has disgraced his

AS CITY FORECAST NO DANGER LEPERS HAD OF HAWAII AT THE FAIR OF STARVING GOOD CHEER KANSAS CITY FORECAST

Prince Cupid Quoted About the Details of the Exhibit---Recommends Hula Girls---Fanciful Tales of a 1902 Revolution.

The Kansas City Journal says: Ha- are the best educated children of any mehamehas ruled the land and super. cepting the New England states. stition was rampant.

royal family will so now a delegate to grade coffee that is being cultivated on the national congress from the mil-Pacific group-said while in St. Louis of the group. And it will be explained recently that a Hawaiian exhibit would be incomplete without a kahuna, a hula-hula girl a kahula and a girl a hula-hula girl, a kahili, and a robe of crushing it will be a feature and made from feathers of the o-o bird.

And he also said that these links which bind the present with the past could that graze on the mountain tops at an the island. For of all the fresh vegeta-

THE WITCH DOCTORS

people to death, even as they did during Captain Cook's time; indeed their
services as exorcists were in demand be treated to a native luncheon or lulibrary the regular ships were kept out by a blockading fleet. The conditions made apparent by the presence of the fleet illustrate more forcibly than anything their grass huts on mountain sides, you seat yourself as nature intended. and although their practices are for- Soup? There is none. Poi takes its and which could produce a sufficient bidden by law, yet there is little doubt place. This is a substance the con- amount of green vegetables and such voke their powers.

pray the soul out of a man or woman in an earthen bowl, using the stone, diers from the Philippines, and as there many crimes were undoubtedly com- such as a druggist mixes ingredients is no chance that it will be used for mitted in the Hawalian Islands in years with pestle and mortar. There are two gone by, for it is evident that after re- kinds of pol-two-fingered and one-fin- sion of it on the part of the Territory ceiving their fee for services that would gered, the former being thinner than result in death they resorted to the the latter. To understand, one must that of the Wahiawa colony and is very use of polson and thus retained their remember that it is very bad taste to fertile. prestige. But so skillfully were the ask for a spoon when eating pol. The deeds of violence committed that for digits must be used, and it is remarkcenturies no one suspected the truth, able how expert some people can be-and it was believed that these white- come in the manipulation. First, stick haired priests possessed the power to the forefinger of the right hand in the kill by the means of prayer alone.

THE DANCING.

was the expression of a Hawaiian his example.

These girls were trained for their volutions that would be necessary, twisted their limbs and kneaded the

supple as acrobats. vanity of kings! this species of fauna, and cle indigenous to the archipelago, has long is lined since departed and the birds seen today. are the result of importation.

EXTERMINATION OF BIRDS.

should be furnished with a royal robe. that hundreds of thousands of the birds would be needed to complete the plentiful that there still remained a spired to prevent a revolution. goodly number, seeing which, and his She, a pretty girl, had overheard of ordered that a cape be made, even as throne. The conspirators had agreed ers were at work for a much longer tain evening and the signal was to be period and when they had completed the first strains of "Hawaii Ponoi" their task not an o-o remained on the played by the band. From time imislands, and you hear of them today memorial this national anthem had only in fables.

PRICELESS ROBES.

But the garments are in existencepriceless robes of a former state. One that will be seen in St. Louis next sum- greater number were assembled

ed feathers and used by attendants to knew to the government officials, from the room in Honolulu where reminiscences souvenirs.

ISLANDS OF TODAY.

wall, at the world's fair of 1904, will children in the world; that is, in proshow to the world her advancement boys and girls read and write and Jo the rule of three than in any other time will present persons and .hungs country on the face of the globe, and that speak of the days when the Ka- for that matter any district, not ex-LAVA, LAVA!

Prince Cupid—he of the erstwhile Hawaii will shine, exhibiting a high

still be found in different par's of the altitude that almost reaches the snow bles purchased here by the fleet, such country. wines and metallurgy the islanders will produce nearly all of it was exported For it was not more than twenty hibits of minerals, for there, dig as you be exhausted in less than two weeks if

on the day that the stars and stripes au, prepared as on the lands that are else the necessity for placing as large were hoisted for the first time over the waved-washed by the Pacific. It is not an area of land on Oahu under cultivagovernment palace at Honolulu, when good form at one of these luncheons to tion as possible. Small farms and what they were asked to use their incanta- sit in a chair, for if you do you will they can produce will be the salvation tions for the purpose of driving the be high above the table, which is nothforeigners into the sea. So that some ing more than native vines and flowers of those old witch doctors still live in strewn on mother earth. So perforce which was ceded to the United States

that they still listen to those who it sistency of paste and resembling it in hat they still listen to those who it.- sistency of paste and resembling it in color, which is prepared from the tary long period. The land was originally the soul out of a man or woman in an earther how, using the stone. substance that is placed before you, give it a twirl until the pol adheres well on all sides, then with a grageful The hula-hula girl, though more mod- movement convey what clings into your ern than the kahuna, is also becoming mouth. Suck the finger well until a rarity, owing to the objection to their nothing remains, then repeat the operaform of dancing offered by the new tion. From this description you will comers on the islands. This criticism understand that two-fingered pol is on the part of foreigners could not be that which could not be manipulated while in port would probably be thirty on the part of foreigness when first readily with one finger. If you are in offered, for the hula girl was to them doubt as to how many fingers you the poetry of motion and her every act should use, watch your host and follow

THE ROAST PIG.

dances while yet in the cradle, when place de resistance, in the shape of a the difference from the fresh meats, the mauka side of the dances while yet in the canded meats the mauka side of the dances while yet in the canded meats the mauka side of the dances while yet in the canded meats the mauka side of the dances while yet in the canded meats the mauka side of the dances while yet in the canded meats the mauka side of the place of the canded meats the mauka side of the place of the place of the mauka side of the place of the mauka side of the place of the mauka side of the place of the place of the mauka side of the place A most savory dish follows as the roast suckling pig, prepared in native style. Hours before you are bidden to little one's muscles until they became the luau preparations for this delicacy were under way. First a hole was dug Kahilis and robes made from birds in the ground, and watching its con-Kahilis and robes made from birds feathers speak of a day when gorgeous feathered songsters filled the trees and bushes of the islands. But alas for the vanity of kings! this species of fauna, is lined with hot stones; these in turn are covered with fragrant leaves; the pig is placed on its bed, more leaves are springled over it, then another layer One of the Kamehamehas is responsi- of hot stones, and finally earth is ble for the extinction of these members thrown on. There it bakes and sizzles of the feathered tribe. When admiring until the time has arrived for service an o-o ope day he decreed that he at table, when it is borne, julcy and edibles that went aboard. Every brown, to become a central ornamett. made from the golden tufts that shone In the olden days it was good for a on the breasts of the songsters. These to tear the pig to pieces with the first tufts were only a fraction of an inch gers, but at luaus of the present the in diameter and the robe maker said knife and fork are brought into play. THE BAND COMING.

Prince Cupid was asked whether the gorgeous garment. "If it takes every Royal Hawaiian band would come of bird in my kingdom I must have the St. Louis and replied that a popular said the monarch, and forth- subscription for that purpose was being with the slaughter began. Probably raised in the islands. There is an in-the most magnificent piece of wearing teresting story told of events in the apparel ever worn, even by a king, was winter of 1902, which shows that a pretthe result. But the birds were so ty American girl and this band con-

vanity being unsatiated, Kamehameha plot to restore Liliuokalani to the the robe has been. This time the hunt- to make a dash on the palace on a cerconcert.

REVOLUTION NIPPED. The momentous night arrived, the

s in the British museum, taken there revolutionists were gathered in groups soon after Liliuokalani's abdication, in different parts of the city, some as for leave to lease to the trustees of and the other is in the government cavalry, some as infantry and others the Bernice Pauahi Bishop Museum a building at Honolulu. It is the latter with a rapid-fire gun as artillery. The the crowd that twice a week gathered Plumage of larger birds than the o-o to hear the band play. Now it hapwas used in forming the kahilis, which pened that the girl who had overheard are immense plumes, made of variegat- the plot did not dare reveal what she wave flies and other insects from the her lover was one of the conspirators monarch's face when he was enjoying and if his name was once revealed, he an afternoon siesta. These by the doz. stood in danger of death at the hands ens will be brought to St. Louis, taken of a firing squad. So, knowing what the signal for the uprising was to be, she royalty are stored as adopted other means to prevent the occurrence. Going to the band leader, when he was half through the program, she coaxed him to substitute an But it is the Hawaii of today that other piece for "Hawaii Ponoi" and will interest no less than the Hawaii when the hour arrived for the concludself in school." remarked Farmer through the latest letter aside. "Laws sakes! What's he done now?" inquired his better half. done now?" inquired his better half, position, so it is in matters educa- hearing the strains of "The Star Span"It aint what he's done; it's what he tional that the islanders will make gled Banner" brust forth from the aint done. This here letter says he's their principal showing. And it will brasses. They became completely de-been in five football games an' come out probably astonish visitors to learn from one exhibit that the kanaka children ped in the bud.

Enough for Us to Eat.

Honolulu will not suffer from a food famine as a result of the presence or departure of the fleet today. All day yesterday and last night stores purchased in Honolulu were loaded on the battleships and cruisers, although the Wisconsin and Oregon finished taking on supplies early in the morning.

Had it not been for the great quanti-

ties of food stuffs brought by the Ala-meda and Solace there would have been a famine in Honolulu. The presence of the fleet, has shown one thing very conclusively and that is, that Hawaii is not able to provide for any great force were bottled up in Pearl Harbor by a hostile fleet, the people of Oahu and be exhausted in less than two weeks if is a large tract of land on this island. upon annexation, for military purposes, and which could produce a sufficient amount of green vegetables and such sion of it on the part of the Territory might prove sucessful. The land joins fertile.

It is impossible to estimate the amount of food that the fleet purchased in Honolulu during its two weeks' stay. The greatest demand was for fresh meats which were purchased daily in enormous quantities for the use of the men on the ships. One butcher estimated the amount used daily as ten thousand pounds, while another firm supplied the fleet with eight or ten cattle every day. A conservative estimate of the amount of fresh meat used by the fleet If you are in five tons. This is at the rate of about fingers you two and a half tons per day. Two days supplies will be taken on for the voyage. This is in addition to the canned meats

Potatoes, onions and cabbages were also taken on board the ships in large quantities yesterday. These are practically all the fresh vegetables that the vessels take for regular stores, although it is not by means the only variety of has a separate mess, crew as well as officers, and they loaded up with all sorts of delicacies resterday the clerks at many of the down town stores worked far into the night getting their orders filled. Roodstuffs are much cheaper in Honolulu than in either Manila or Yokohama and the various mess funds were largely drawn upon to replenish their respective larders. store only was it reported that there was any probability of a shortage in food stuffs in Honolulu because of the purchases made for the fleet, the other merchants joining in the statement that there would be plenty to eat for every-one left in Honolulu after today. It was said, however, that had it not been for the shipment of stores from San Francisco there might have been a serious shortage in the food supply of Honolulu. Another grocer stated that had it not been for the cable, which would permit the increase in orders in time to catch the Sierra which sails from San Francisco December 31st, Honolulu might even now be facing the prospects of a food famme.

CHARTER CHANGES ARE ASKED FOR

Several proposed changes of charters have been filed in the Treasurer's office for approval.

Lee Toma Co., Ltd., wants to reduce its capital stock from \$40,000 to \$20,000. The Davey Photographic Co., Ltd., desires its name changed to the Frank Davey, Photographer, Ltd. Joseph Hartman & Co., Ltd., would change to Carrera & Co., Ltd.

The Japanese at Honolulu planta-tion will hold a variety entertainment, with the aid of city talent, on New

Fleet Will Leave Rumors of Trouble Over Grievance Are Not Believed.

Superintendent J. D. McVeigh, who has been in town for the Christmas season, received a letter from Deputy Superintendent Walmau at Kalaupapa, which tells of a merry Christmas enjoyed by the inmates of the Settlement. There were many luaus, including one held by the white people. Christmas boxes sent by various large mercantile houses of Honolulu enriched the good cheer.

Mr. McVeigh takes no stock in a rumor current for some days herewhich, however, he heard for the first time when questioned about it-that a Government official had been burned in effigy by some disaffected persons at the Settlement.

With regard to talk of hardship to-Thos, K. Nathaniel if his exclusive fish-selling market is blocked, Mr. Mc-Veigh says the reported value of the investment is vastly exaggerated when placed at three thousand dollars. Hundreds instead of thousands would be nearer correct. It was not to create a monopoly for Mr. Nathaniel that the Superintendent had favored confining the sale of fish to one place, but only to ensure and facilitate thorough inspection. Governor Carter disapproved the regulation in this regard on the ground that it made an invidious privi-

ESCAPE FROM DORIC

Five desperate Japanese stowaways on the O. & O. steamship Doric made an attempt to escape from the steamer yesterday morning after 2 o'clock and vould have succeeded but for the determined resistance of Customs Inspect tor Wilson and an Immigration guard.

There were eight stowaways on board, five of whom had been held on the Doric since its departure from Japan on the last trip. They were being returned to Japan. Three otherswere sent aboard from the Coptic on. Monday. They were confined in a room. One of the number cut out a panel in the door with a clasp knife, and five of the gang managed to escape. They spread out over the vessel and knowing that they would be appre-hended if they tried to land on the which are regularly supplied by the wharf, they squeezed through ports on Navy Department. "The canned meats the mauka side of the vessel and plung-

The presence of the men in the harbor said Licutenant Chapin of Admiral Evans's staff the other day. "It is a regular picnic going to sea nowadays. We take on only fresh meats and green er battling with him for some time. vegetables for our cruise to Cavite. The Department supplies the fleet with regular rations, and the vessels are decorated as a local supplies the fleet with regular rations. lar rations, and the vessels are depend-ed upon to get what additional supplies damaged in the fracas, held on, and they need as they touch at different also gave his prisoner a drubbing. The ports."

As the steamship company is liable to a fine of \$200 for the escape of a stowaway the steamship officials put forth every effort to apprehend the

Before the steamer sailed at noon yesterday another Japanese was discovered hiding in the bow of the sloop-Aloha which was riding at anchor in front of the pilot bouse. One of the fruit, raisins, fancy regetables, cakes and an endless variety of good things to eat were sent on board the ships, and the Japanese. He was turned over to the steamship company. the steamship company.

The Doric expected to overtake the fleet waich sailed for the west at 10 a. m. yesterder. Captain Smith had the signal flags of the steamer on deck ready to hoist in salute to Admiral Evans when the liner passed the warships. It is probable the meeting took

POMPEY LANDS MAIL AT MIDWAY

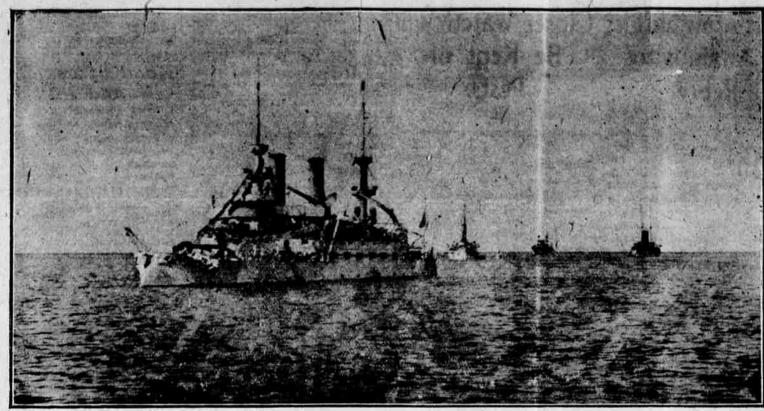
The United States naval collier Pompey, which sailed December 24 from Honolulu for Manila via Midway Island. arrived at Midway yesterday afternoon, and landed the mails forwarded from this port for the cable colony. The captain reported all well on board,

WARSHIPS ATE' UP **BIG COAL PILES**

When the warships departed yesterday and Captain Niblack had time to think freely for a few minutes, he found that about 9,000 tons of coal had been carried away from the navy's coal piles by the fleet. It was first thought that about\5,000 tons would be needed. When the fleet arrived it was estimated that about 7,300 tons would be required, but extra amounts were called for and they were given, running the total up to about 9,000 tons.

Miss Goldie Gurney, for some time past a clerk in the Secretary's office, will become secretary to Judge Dole on January 1.

AMID STRAINS OF "THE GIRL I LEFT BEHIND ME" FLEET SAILS FOR CAVITE



AT ANCHOR OUTSIDE THE HARBOR. (Advertiser Photo.)

Cincinnati.



THE CINCINNATI AND ALBANY JUST BEFORE THE START.

Raleigh.

Girl I Left Behind Me," played by the flagship Kentucky's band, the fleet of Admiral Evans departed from the anchorage the entrance to the channel promptly at 10 o'clock yesterday forenoon, en route to Cavite, via Midway and Guam. It was an impressive sight as the entire battleship and cruiser fleet responded to the Admiral's signal cheer arose on the decks of the flagship,

at 10 o'clock the signal flags churned up the sea. Previous to this had drawn in their anchors, the Oregon the morning. The Kentucky described past both the Wisconsin and Oregon, lowed by the two big battleships, and then by the cruisers, the New Orleans following directly behind the Oregon.

The cruiser flagship New Orleans was the last vessel to leave Honoluly barbor. She went out about 9:30 and took up a position which would easily throw her on the right of the line of cruisers when the signal came to depart.

The Naval Station tug Iroquois, commanded by Captain Rodman, was boarded at the dock by the Hawaiian Government band, naval officers, several government officials, ladies and press representatives, who took this means of saying farewell to their friends. Governor Carter was not present, but was represented by Secretary Atkinson. The Iroquois left the dock at 9 a. m. and went directly out to the Kentucky which was serenaded by the band. The tug then visited the Wisconsin and after the serenade the Badger men gave three cheers. Then each of the cruisers was visited, each one being serenaded, the men cheering enthusiastically.

Some of the young ladies on the Iroquois whe have been learning some of the wig-wag alphabet from some of the paid their private back rides for themfleet officers, wig-wagged good-byes to selves, their wives and their families, several of their officer friends and were and instead of paying cash, orders are frequently applauded by the men for the skill they displayed.

While the tug was making its rounds young lady said that it was "Honolulu shedding tears over the fleet's departure." As the tug bore away from the Raleigh a beautiful rainbow arched ernor of Hawaii, was presented over the vessel apparently enclosing number of representative merchants on the warship from stem to stern in a prismatic frame.

Upon returning to the Kentucky the marine guard was paraded on the quarter deck and the band struck up "The said to be about \$1500.

O THE stirring strains of "The Girl I Left Behind Me." followed by "Auld Lang Syne." Admiral Evans stood on the quarter deck and waved

his hat in farewell to the visitors. As the tug passed the Oregon the marine guard was drawn up and the band played "Home, Sweet Home."

It was then within half a minute of 10 o'clock and as the second hands of a watch told off the half minute Admiral Evans' signal to start was flown and the propellers moved. Cheer after which were responded to with all the might of the few masculine and feminine voices on the Iroquois, and then the visit of the fleet became in two hours' time only a pleasant memory. Two sick sallors were sent ashore time the cruisers and the Wisconsin from the Kentucky just before she

Land Commissioner J. W. Pratt has a circle to starboard which brought her received advices of a decision of one of the land boundary cases the trial of and then gathering headway, was fol- which he attended recently on the isi- pervisors will probably use the knife. and of Hawaii. Levi S. Lyman, Commissioner of Boundaries, decided in favor of the Government as to 450 acres of grazing land below the 3000-foot level in Kawaihae, North Kohala, Private claimants, being lessees of the Queen Emma estate, won the case with regard to 420 acres of mountain summit land in dispute. The controversy has existed for thirty years.

> Other land disputes have been settled by stipulation. The Territory gives up 35 out of 135 acres in Upolu, per cent by the use of improved meth-Hawaii, in exchange for a quitqiaim to 95 acres at Lahainaluna, Maul, part of the site of the famous public seminary there, which had been disputed since the great land distribution of 1842.

GRAFTERS ON THE LEGISLATURE

The Independent, during the Legislature, strongly opposed the items of "incidentals" appearing in the various appropriation bills, because therein laid the means of covering "a multitude of sins." We are given to understand that various officials are having given upon their clerks. The Ligislature never, for one moment, intended that such should be the case, after als rain drizzled upon the fleet. One lowing these head officials liberal salaries.-Independent.

> Judge Sanford B. Dole, late Gov-Christmas Day with a handsome silver tea service, consisting of seven The plate is the handiwork of & Co., San Francisco, and its value is

OAHU COUNTY SUPERVISORS **CONSIDER EXPENSE ACCOUNT**

The Circuit Court Judges Give Estimates for looked considerations suggested by Their Departments---Pay of Office Employes.

terday afternoon in Castle & Cooke's the various departments were present- \$40. Some departments will be combined to effect a saving in salaries and incidental expenses. The county government will not make use of the tug Eleu for towing garbage out to sea, but will call for tenders for disposing of the ac-Assessor laukea appeared before the

Board and made the claim that he ods of doing business. His recommendations as to expenses for doing the work were not presented to the Board. The report of the three judges of the First Circuit Court was received in which they outlined the amount of clerical work to be done and expenses for conducting the courts. They recommended the employment of three stenographers at \$200 a month each, or PASTE HONOLULU a total of \$600 a month, as at present. The clerks in the courts are allowed \$100 per month. The judges recommended they receive \$150 each, claiming that the amount of work calls for such a salary. No reference was made of the fees which the clerks receive

The bailiffs are now paid \$85 a month each, and it was recommended that the pay for each be raised to \$100 a month. They also recommended that for the jury and witness expenses the courts be allowed \$2,000 a month. Then there were salaries for interpreters of the usual nationalities and extras, which would swell this estimate to about \$40,-000 per annum.

over and above their salaries.

Treasurer S. E. Damon recommended that two clerks be authorized for his office, one a license clerk and the other a bookkeeper. He recommended a salary of \$175 per month for the bookkeeper and \$150 for the license clerk.

The Board of Supervisors for Oahu | For the County Clerk's office it was County held an important meeting yes- recommended that a chief clerk be appointed with a salary of \$150 a month: stenographer and clerk, \$125 per month; hall, at which estimates for running another clerk, \$50 a month; messenger, The District Attorney recommended

> a deputy attorney at \$200 a month; law stenographer and assistant, \$150 a month; messenger, \$50 per month. For the police department it was rec-

ommended that \$15,000 be allotted for the pay of police, detectives, specials, clerks, maintenance of prisoners, care of animals and incidentals.

No recommendations were received from the Auditor who is ill.

For the garbage and excavator partment it was recommended that this be maintained for \$3,300 per month, and to combine with it the sewerage department. About a third of this sum is earned in fees by the department.

The Road Department matter will be considered at a meeting to be held at 10 o'clock this morning. It is believed that this department is being run too joyed by the lessee. extravagantly to suit the Supervisors. The appointment of road supervisor was deferred until a later meeting, as hearing should be granted at least upwill be all other appointments until the on the first point." salary question is settled.

LABELS ON BAGGAGE

Commencing with the arrival of the Coptic and Doric the Pacific Transfer Company pasted a distinctively Honolulu label on all baggage landed or sent away. When the globe trotter arrives in Honolulu in the future he may be assured that his dress-suit case will receive a conspicuous label with Honolulu showing plainly upon it, and his heart will be made glad. The traveler who returns home with his dress-suit case, trank and vallee covered with labels slowing the various countries he has visited, has a bona fide memento of bout three inches across, is yelcolor and bears the figure of s Hawaiian standing erect riding on a surf board.

The race horse Weller was sent to Hilo in the Kinau to take part in the New Year's races there.

RAILWAY VS. THE KOHALA

Supreme Court Mistaken.

The Ewa Plantation Co. and the Kahuku Plantation Co. are not satisfled with the decision of the Supreme Court on the submitted case between the Oahu Railway & Land Co. and themselves. By their counsel, Castle & Withington, they petition the court for a rehearing.

Their ground for rehearing and reargument is that questions decisive of the case and duly submitted by their counsel "have been overlooked by the court and that the decision is in conflict with express statutes to which the attention of the court was not drawn." The petition specifies its particular

grounds, reciting what the court found as to three interests to be taxed, namely; that of the original lessor, that of the lessee (the lessor in the new leases) and that of the sub-lessee, all to be paid by the sub-lessees respectively, quoting then from the decision the following passage:

"It is no defense that the taxes were not assessed upon the sub-leased portions of land separately. The private agreement of the parties was not binding upon the assessor and the latter was under no obligation to make a separate assessment by reason of such agreement."

On this the petitioners comment: "The court has clearly overlooked the point made in our brief, that the interest of the Oahu Railway & Land Co. in each of the demised premises is a separate item, and as such is to be separately taxed. We did not conend that the agreement to pay taxes had any effect upon the method of assessment, but that if any taxable interest in the demised premises was left or created by the leases, such interests were separate items, and under the provisions of the tax law must be separately taxed, which was not done, and therefore no valid tax was laid on the demised premises and we were not obligated by the agreement to pay anything but a valid tax."

The petitioners further say that the ourt has, in their opinion, overthem decisive of the case in its finding that the agreement concerning taxes, found in each lease, creates an obligation on the part of the plantation companies to pay a tax on the railway company's interest in the demised premises and that the railway company has an interest in the demised premises subject to taxation. The considerations alleged to have been overlooked are thus presented:

"Our point was not, as stated by the court, that the instruments are not in reality leases, but merely contracts to establish sugar plantations. What we contended was that, while the instru-ments were technically leases, the purments were technically leases, the purpose of the parties was primarily to establish sugar plantations, and that the instruments should be construed with this purpose in view.

"We did not contend," the petitioners continue, "that the agreement relating to taxes was not a covenant. What ve contended was that it was not in the technical form of a covenant and was a portion of a general covenant to graphs: establish a sugar plantation, and that that fact should be taken into considertion, and when considered it peared to be a provision relating to the nethod of computing the share of the profits, and not primarily a covenant to pay the taxes.

court seems to us to have overlooked the fact that there was nothing in the case which showed that there was any excess of rents to be en-This latter may not, however, have been decisive of the

"We respectfully submit that a re-COURT NOTES.

Judge De Bolt has signed an order in default against defendants in the assumpsit suit of B. F. Vickers vs. Robert A. and Fredericka A. Carlile. Robertson & Wilder for plaintiff made the W. R. Sims, J. S. Walker and George

Lucas, appraisers of the estate of Dr. Alex. M. Atherton, deceased, have filed their report, being practically a confirmation of the inventory filed by C. H. Atherton, executor

David Watson was licensed yester-day by Judge Robinson to practice law the district courts and before circuit judges at chambers on appeal, for the term of two years. denied the motion

Judge Robinson for a new trial filed by defendant in the case of Cecil Brown vs. J. Redhouse.

Honolulu plantation will begin Janary 5 to grind the 1904 crop The grand jury has visited Oahu

orison and the Insane Asylum. George Andrews has been heard from at Macao, Straits Settlements, on December 5, in good health and intending to start four days later for Athens by

way of Egypt.

DITCH DATA

Defendants Think Earnestly Studied By Governor Carter.

Governor Carter is devoting all the time he can spare from the regular routine of the executive office to a personal investigation of the Kohala ditch ousiness. He finds the data very voluminous, requiring time and study or its comprehension, but says he wants to obtain a thorough understanding of the situation.

The Governor yesterday received the reports of various heads of departments relative to current matters in their charge. There was no finished business to give out at the close of office hours. Things are moving in the Public Works Department about as rapidly as might be expected at the fag end of one set of current appropriations and the beginning of loan fund availability.

The contract for erecting the Royal School building has been awarded to the American-Hawaiian Engineering Co., represented by Chas. H. Gilman. The site for the building, on the old lot, will be laid out this morning.

F. W. Knight has been awarded the contract for erecting No. 2 building of the Boys' Industrial School at Waialee, H. F. Bertelmann will begin work on his contract for erecting a teacher's cottage at the same place on Monday

Cotton Bros. & Co. have been awarded the contract for building the abutment of Walmea bridge, Kaual.

This morning the steamer Alameda nakes her first departure from the new Oceanic dock. Construction work has kept the San Francisco local liner away from her old berth for about ten months.

The Inter-Island Steam Navigation Co. partially occupies its new docking quarters. Some scales are yet to be installed.

Plans and specifications are being ompleted for Brewer's wharf, to construct which tenders will be invited the beginning of the year.

Property owners on Nuuanu above Kukdi street are going to put in sewers to connect with the sanitary system.

Today will see the completion of the storm sewer at King and Kecaumoku streets. Also the portion of the system to avert floods at Beretania and Punchbowl streets will be completed today. The storm sewer system has long ago, even in its partly finished state, demonstrated its great value as a public improvement. Besides its prevention of both discomfort and material loss, public and private, it has undoubted sanitary virtue in draining residence sections of surplus moisture.

TO CALIFORNIA

Senator Newlands in a speech before the Senate on his Cuba annexation resolution said something interesting about Hawali in the following para-

"This is a part of the proper expansion of the Republic, the traditional expansion of the Republic, not the modern expansion of the empire over countries in distant seas. Hawall is a military outpost in the Pacific contrelling our defensive line. Why should we have her? She occuples such a position as she would if she were only a hundred miles from San Francisco, and practically protects the entire coast from foreign invasion. No fleet can sail from the Orient and reach the Pacific Coast without coaling, and with Hawaii in our possession the ships of such a fleet would be derelicts upon the ocean before reaching And so as a matter of our shore. economy and of wise administration and of wise adjustments of the boundaries of this country we have taken Hawaii into the Union as a Territory with a Delegate. She has today the position of an infant State, is in a transitional stage toward statehood, not, perhaps, independent statehood; found in the future to incorporate her in the State of California as a county, and thus give her that representation in the Union to which every foot of ground over which the American flag ats is, in my judgment, entitled."

The danger to Hawaii in the matter of maintaining herself began with an-nexation. Prior to that time there was

Indeed? Is any one so foolish as to suppose that a strong naval power at war with the United States would not have tried to seize Honolulu and use It as a base against San Francisco? In that case what would Hawaii have done-let loose a pol dog and scared the perfidious foe away?

Kawaiian Gazette. Entered at the Postoffice of Honolulu,

H. T., Second-class Matter. SEMI-WEEKLY. ISSUED TUESDAYS AND FRIDAYS. WALTER G. SMITH, Editor. ..

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HEALTH MATTERS

While in substantial agreement with the plan of the Governor to reduce expenses, the Advertiser as well as the public would be sorry to see the number of sanitary inspectors under the Board of Bealth cut down from twelve to six. Twelve are none too many. Perhaps the public do not fully appreciate the work of the inspectors but the Governor must know as the press does, the peculiar crisis through which Honolulu has been triumphantly brought by the thorough system of sanitary oversight established a little over two years ago and which met the recrudescence of a former malady in a way to establish safeguards for the public health without alarming public sensi-

This town well remembers the terror of 1900, but it does not know that the deaths during that visitation were exceeded in number by those of the second outbreak, occurring a year and a half later. Indeed few knew that another outbreak had occurred as the or shence and bent an its cherging the town. It is now know the value and meaning of an said that he considered Mr. Perkins many months since a single case of the malady has appeared. The reason the disease did not become virulent in port states that there was evidence groups of cases and why it finally disappeared altogether is that the Board of Health inspectors had enough in the that finding every disinterested man field to compel private and public sanitation.

The conditions which produce epidemics of the sort named are here in a large indigent or careless population; people who must be watched. If the inspectors are cut down to six we shall then have one man to every 7000 people, which simply means that he could not do his work and would have to slight it. THE MOMENT A TROPICAL CITY BEGINS TO SLIGHT THE BUSINESS OF KEEPING CLEAN THAT MO-MENT IT IS IN DANGER. Should filth of Chinatown, the tourist comharps upon the willows.

And a word further: If what we hear of the exact state of things in Chinatown is true the inspectorate needs to be increased rather than diminished.

danger to the United States. The coun- Why it is so we do not know; for a season when parasites could be best time when civil war is on a German, a French or a British merchant may be killed, whereupon his Government will demand redress and send a force to get it. Anywhere else such a force might demand indemnity in the form of a local foothold, as a coaling station, which would prove a place of refuge for fellow-countrymen in war; but in San Domingo they would find the Monroe Doctrine in the way-a principle which is not recognized in international law and which a great power may one day decide to challenge. To escape such a crisis, to establish peace in a stricken and prosperity in an impoverished country, and at the same time to gain an important strategic point are circumstances which may easily and logically lead the United States to conclude that the annexation of San Domingo is desirable.

Will this Territory never get through squandering money? The last Legislature appropriated \$10,000 for repairs on the Royal mausoleum which, so far as any one knew, did not need any mending, and the authorities then proceeded "blow the money in." One of the first steps-and the all-important onewas to hire a superintendent at \$250 a month whose duties principally consisted in lolling about the mausoleum park and receiving his pay. Now the \$10,000 are gone, leaving but little to show for it but half-completed alterations, and work has stopped in the hope that \$7500 more may be had after the 1st of Jan-One could build a fine mausoleum out of all the money likely to be wasted, first and last, on the satisfacone the Legislature, in its plentiful lack of wisdom, wanted to "im-

Mr. Dowie has heard that Hawaii has the richest white population per capita in the world; hence his desire to spend a couple of weeks here and try on it his hypnotic power of persussion. It is remarkable how Dowie manages to open fat pocketbooks; one of his few converts in New York recently sent him \$50,000 and promised more. Doubtless he feels that Hawaii can be made to yield a golden stream as the rock did to the tapping of hike the other way. There are more Aaron's rod. But we shall see.

GRAND JURY VOUCHERS

The Territorial Grand Jury engaged the accused men, but it does the next worst thing in shirking its duty and trying to pass it on to a Grand Jury as yet unsummoned. Its majority report is not only specious reasoning but it is a pitiful evasion of responsibility. Per Year 5.00 though in session since September 8th,
Per Year, Foreign 6.00 it did not have time to make a thorough it did not have time to make a thorough and exhaustive inquiry, the jury proceeds to confess that but one phase of the voucher question was submitted to it and then excuses itself for not taking up that phase, which it surely had am-FRIDAY : : : : JANUARY 1 ple time and reason to investigate, by complaining that it was denied the "fuller presentation" which must have taken up far more time and resulted in the thorough and exhaustive inquiry The situation has its analogy in the appearance for trial of three accused men out of ten before a jury which holds that it hasn't time to try three but might have tried them if the prosecuting attorney, in justice to the other seven, had presented the full ten.

So far as the time occupied by this Grand Jury is concerned it used up as much and more than did the Federal Grand Jury which indicted Meheula and exposed the whole system of legislative boodling. There was literally time to burn. The result not only shows the questionable attitude of the majority of the Territorial Grand Jury, mistake when he told an Advertiser reporter that he wanted the voucher case taken from the hands of the Federal Grand Jury and put into the keeping been after a successful trip to Ohio. lowing resolution: of this one. Evidently Kumalae knew Mr. Holloway, complying with the his men. He knew upon whom to de-Board of Health maintained a policy pend. He dreaded the unbiased sense of silence and bent all its energies to- of justice of responsible citizens who

> oath. Mr. W. M. Templeton's minority reenough presented to the jury to war- two years almost exclusively. Mr. rant it in bringing true bills. With who has seen the evidence will coincide, Mr. Templeton has done his duty as a good citizen towards men whose conduct strikes at the very root of good citizenship; but it speaks sternly against our jury system that he stands alone as one to eighteen.

The theater in action is always in peril of fire and the wonder is that it does not burn down as often as a powder mill blows up. But in point of steamer. Professor Koebele wrote in fact such holocausts are few and far between. It is about thirty years another epidemic be spawned in the since the Brooklyn theater fire decimated an audience and sent a thrill mittee might as well shut up shop and of horror through the country. Mean- had sent him some parasites on the last those who hope for more warships and while here and in Europe but a few for garrisons of troops, hang their theaters, like the Baldwin of San Francisco and a new one at Muncle, a good thing to have a personal inter-Ind., and one here, have burned, view with Mr. Koebele, and Mr. Thursand these were empty. Casting up the personal danger, however, from the tables of mortality, people do not take as many risks from fire in going Mr. Perkins said that two or three So long as San Domingo is a hot-bed to a theater as they do from drowning weeks' absence at 'this time of revolution it will be a source of in going to sea in a good steamship. Keebele, if this happened to be the try has many foreign interests. At any flimsy, draughty structure, with paper obtained. scenery, red fire and a net-work of electrical devices, ought to be a fire

> It is a mistake to say that the Ninth U. S. Infantry is a colored regiment. When it was stationed on the coast it was white, when it passed through here had received a number of offers from en-route to Manila its color had not changed and it is not even streaky The Ninth Cavalry is black enough, but that command is not expected here. Nor, indeed, is the Ninth use his discretion about returning at at Camp McKinley, as it will be some time before a change is made in the try selection will not be made before-

The threat of annexing Hawaii to the voters of Hawaii prove their capacity to give these Islands an honest to go on stealing and juries acquitting boodlers on racial grounds, and the reign of Graft is to be uninterrupted, there is no telling what may happen. It is quite conceivable, under such circumstances and as a means of economy, that a very influential body of taxpayers here would petition for incorporation with the nearest American

Whenever Russia wants time to get more troops into the field she begins to talk vaguely of "concessions." Just as word comes that ten batteries of artillery are to be ordered to the Far East from Odessa, Russian diplomacy becomes as amiable as an infant's smile. If Japan will only wait until the guns arrive she will then have a thance to hear the bear growl.

If Colombia sees any U. S. troops guarding the canal line she had better where those came from.

"investigating" the voucher scan-MAY QUIT

The Entomologist Closer Watch Will Is Anxious to Retire.

Professor A. Koebele, the government entomologist, who has been hunting a parasite for the leaf hopper, in the States, expects to go to Australia in March to continue his search. The which it says it had no time to make. Board of Agriculture received a letter from the professor yesterday, the first in six months, and he wrote to object to the request of the board that he return home. Mr. Koebele also intimated that the Territory was likely to lose his services very soon.

The meeting of the board was attended by all its members yesterday, the first time, almost, since its organization. Those present were L. A. Thurston, president; C. S. Holloway, executive officer: W. M. Giffard, J. F. Brown, A. W. Carter and J. D. Dole; Jared G. Smith, D. L. Van Dine and J. E. Higgins of the United States Exbut it shows that Kumalae made no periment Station and R. C. L. Perkins, the Territorial entomologist.

Mr. Koebele wrote to Secretary Holloway from California, where he had board's instruction, had requested Mr. Koebele's return. Mr. Koebele in his letter stated that he deemed it inadvisable that he should return now. He department than himself, as he was not accustomed to office work having been engaged in field work for twenty-Koebele reported that the work on the leaf hopper parasite in Ohio had been very thorough under Mr. Swanzy, while Dr. Howard at Washington had also been giving the matter some study. Mr. Koebele sald he had also discovered some new points in reference to the leaf hopper and was at work in California. He believed that March was the best time for work in Australia and he intended to leave for that country in the early part of that month. He had, in accordance with the request of the board, booked for the Sierra, due here January 6th, although he might stay in San Francisco until the next conclusion that his condition was not satisfactory and that the board could not depend upon his services for very

long. Mr. Perkins stated that Mr. Koebele steamer, and that he didn't believe his work in California had been completed. J. F. Brown suggested that it would be ton also said that it would be well to have the entomologist here to get in touch with the board. to return to California then, he could. make a good deal of difference to Mr.

Mr. Thurston finally suggested that the secretary be instructed to cable Professor Koebele to use his discretion about returning and to remain in California if necessary to complete his Mr. Koebele wrote that he exwork. pected to be through by the first of the purpose aforesaid. year. Professor Perkins in answer to a question stated that Mr. Koebele other sources but that he believed that Mr. Koebele considered that he had worked sufficiently long to permit of his retirement. Mr. Holloway sent a proposition. cable to Mr. Koebele instructing him to Mr. Thurston said it would mean a board.

WILL SELL NURSERY PLANTS.

plants they wanted.

Mr. Dole, it was decided to offer work than one man could do. the trees for sale, no minimum price Professor Perkins stated that it would being fixed. The McBryde plantation, require the time of one man almost exit is said, will purchase a large quan-

Mr. Carter reported that he had made up an order of 112 varieties of seeds appropriation is exhausted it was de- gists, Professor Koebele and the man to cided to delay the order until the eigh- assist him. This was to have a man

Mr. Holloway for the finance commitahead rapidly. floors had not been completed.

accepted.

INSPECTION

Be Kept of Pests.

Hereafter inter-island steamers will and after arrival if shipped to Honobe subjected to the same supervision and inspection in the transportation of rules and regulations was unanimously plants as the Board of Agriculture re- adopted. quires the larger trans-Pacific vessels. At the meeting of the Board yesterday it was decided to draw up regulations for the control of the inter-island boats ship companies. The new regulation is which have not reached some of the other islands. A strict observance of of Oahu.

W. M. Giffard called attention to the need of such a rule in offering the fol-

Whereas: Section 5, Paragraph 1 (b) of Act 44 entails upon this Board the duty of providing ways and means of exterminating such insect pests and diseases as are liable to become injurious to trees, plants or other vegetation

as are already in the Territory, and Whereas: Section 5, Paragraph 3 of the same Act provides that the Board shall make rules and regulations (sub- grand jury will make its final repor ject to the approval of the Governor) before Judge Robinson this morning. for and concerning the quarantine, inspection, fumigation, disinfection, exclusion or destruction at any time or place within the Territory, of any soil, March, 1904. nursery stock, tree, sugar cane, plant, fruit, vegetable or other vegetable growth or substance which is or may out for an airing. He is still ver be infected or liable to assist in the transmission or dissemination of any insect, blight, scale or disease injurious or liable to become injurious to trees, plants or other vegetation, and

Whereas: It is is further provided in the Section and Paragraph aforesaid building she desires to erect. that Rules and Regulations may be formulated by the Board governing the shipping and shipment between the different islands of this Territory of the specific article or class of articles above enumerated which are liable to introduce or disseminate blight, insects, scale or disease injurious to vegetable

growth, and Whereas: It is further provided in said Act that all rules and regulations made as aforesald shall have the force and effect of law,

Be It Resolved: That the Committee on Rules and Regulations of this Board be hereby instructed to at once formulate such rules and regulations as may systematically subject all consignments between the different Islands of the Territory of soil, plants, trees and other vegetation, to inspection by the Board's Entemologist, prior to shipment or acceptance by inter-island carriers, and

Be It Further Resolved: That the said committee submit to the Board for its approval such rules and regulations as they may formulate for the

Mr. Giffard suggested as a means for carrying out this supervision, the adoption of a regulation, requiring the steamers to accept only such plants as quota of a quarter million dollars of the label of the government entomologist. He believed the companies would be willing to agree to such a

great increase of labor for the en-Infantry, according to advices received this time, and the cable will reach him tomologist if he was required to meet the day before the Sierra leaves San every inter-island boat and examine the very low considering that there were Francisco. Mr. Giffard said it was ex- stuff brought by it. He stated that tremely desirable that Koebele make the planters who were paying half the arm of the service here and an infan- the Australian trip before quitting the salaries of the entomologists had been given to understand that two would spend their time in searching for measures to kill the various pests Mr. Thurston stated that there was with which the Territory is afflicted, a large number of plants at the gov- and that it would require the services California will never be carried out if ernment nursery in need of transplant- of one man to keep the watch on local ing, many of them having outgrown steamers. The planters also were anxtheir boxes. He suggested that these ious for a man to visit the plantations plants be sold at a nominal figure to regularly and investigate conditions as government. But if Legislatures are cover cost of cultivation, about five to insect and other pests. Besides, a cents per plant. There had been in- very large correspondence has grown quiries for trees and many of these in- up with entomological institutions, and quirers would be willing to pay for it required time to answer these letters. All this with the inspection of Upon motion of Mr. Carter, amended inter-island shipments would be more

> clusively to watch the island steamers, Mr. Carter thought the request of the planters was unreasonable. Mr. Giffard explained that the planters paid he intended to send. As the half the salaries of three entomoloteen months' appropriations became to take up Koebele's work if he should be compelled to give it up.

Mr. Perkins stated that he was pretee reported that the new building was, paring a plan now to keep a closer The concrete watch over the plantations. He had part prepared a list of questions which lu-The secretary also presented a let- nas and managers would be asked to both Breeders' Association offering to put formed as to the condition of cane. their library in the possession of the Then if the leaf-hopper or any pest was Board, until such time as the breeders found to be working on any plantation had their own building. The offer was it would be easy to dispatch a man to The request of Jared Smith for a \$500 of all plantations was contemplated, appropriation for the purchase of one man could visit each of them only chemical apparatus was deferred until about once a year. Mr. Perkins said after the eighteen months bill goes into he did not believe there were many onciled yet, but they do say she's got effect. investigate. Otherwise if an inspection

pests in the Hilo district not anywhere else, and another in the Kona district which was not in Hilo. He believed though that the pests would spread gradually to the other islands unless

some preventive measures were taken. Mr. Carter suggested that if there was no bad blight, then there was no need of the proposed inspection. Mr Giffard replied that if there had been proper inspection the Maui blight could have been kept off of Oahu. Sugar cane was being sent from one island to another by managers, which might be diseased. If the inspection was carried out there would be no chance to spread blight in this way.

Mr. Thurston suggested that a penalty be attached for the transportation of plants without having a proper cer tificate from the entomologist. The sery and fumigated, if sent from here lulu. The resolution authorizing the committee to draw up the necessary

Former Honolulans.

Mr. H. E. Coleman, formerly Genl. Sec. of the Y. M. C. A. at this place, in carrying plants, shrubs or vegeta. who has since been taking some studies tion of any kind. While no rule was at Chicago University, is taking a adopted it will probably be arranged to study or two at Harvard and putting have all plants furnigated and passed most of his time into the secretaryship by the government entomologists, and of a new Association in the town of this will be made a condition of the aclarge athletic field adjoins.

Mr. A. J. Coats is occasionally heard deemed to be necessary because of the from as he continues his studies in the prevalence of blights on one island, University of Nebraska, and directs the physical work in the city Association. Mr. John M. Moore, who began his Association training here, is reported the rule would have prevented the Maui as being thoroughly well adapted to blight from being spread to the island the work. In one of the R. R. Associations in Chicago be served acceptably as General Secretary, but deciding to go into the city work, he accepted a call as assistant in the Association at Springfield, Ohio.-Association Review.

LOCAL BREVITIES

S. K. Mahoe has taken the oath a a supervisor of Oahu county.

Renovation of the royal mausoleur will be resumed when the 18-month ap propriation bill goes into effect.

It is expected that the Territoria

The postoffice has issued the official postoffice time table No. 29 for th months of January, February an Dr. J. S. B. Pratt, chies health offi

cer, has so far recovered as to com weak and will not be able for som time to resume active duty. Commissioner J. W. Pratt referre Mrs. Nawahi of Hilo to the new count

government when she applied to hir for a definition of the street line for Governor Carter has received a lette from Charles Brewer & Co., Boston relative to the Hawalian wool indus

It mentions a trade complain that our wool has too many burns i Treasurer Kepolkaj had his joke yes terday, when the automatic telephon man was fixing up an instrument in his office. "I am being put in com

he told his visitors. Survey department data is to b indexed by Surveyor W, E. Wall, it anticipation of the building of a fire proof building for Government record This structure is scheduled among th

munication with the official family,

earliest public improvements. The Territorial Government is aiming at a reduction of expenditure for the coming year amounting to fifty in cutting out offices and ignoring such appropriations as may be deemed not essential to expend.

The grass is looking well in Aala park, despite fears that the salt in the soil from the harbor dredgings would be against its growth.

The Bank of Hawaii yesterday paid into the Treasury the balance of its

Judge De Bolt finally, as to the Circuit Court, disposed of 81 out of 162 cases on his share of the civil calendar at this term. The cost was \$1796 or an average of \$22 a case, which is 52 actual trials.

H. J. Johnson, custom house broker, Secretary Moody cabled Governor Carter his thanks for the invitation to the squadron to stay at Honolulu longer. He was sorry, but did not feel justified in interfering with Admiral Evans's decision to carry out original orders for the sailing hence of the

sailed in the Alameda to be a witness in Japanese liquor importation matters before the board of general appraisers in New York. Having studied the subject in Japan this year, Mr. John n expert witness.

Bus Service Discontinued.

At midday today the bus service in Nuuan Valley in connection with the Transit lines will be discon The Nuuanu street line will n up to the Mausoleum, which the terminus until the roadway above is widened, when the track may be extended.

The Nuuanu Valley stables will also be abandoned. When the Beretania street line is con-

cluded Fort street will act as the lower of the letter Y for the Beretania and Nuuanu street lines. The cars of The secretary also presented a let- has and managers would be asked to the form the Hawaiian Live Stock answer, and which would keep him in- for street. On the return the Nuuanu ter from the Hawaiian Live Stock answer, and which would keep him in- car will go out Beretania street and the Beretania car will go up Nuuanu street,

Humors of the Blood

Cause many troubles,-pimples, boils and other eruptions, besides loss of appetite, that tired feeling, fits of biliousness, indigestion and headache.

The sooner one gets rid of them the better, and the way to get rid of them and to build up the system that has suffered from them is to take

Hood's Sarsaparilla and Pills

Forming in combination the most effective alterative and tonic medicine, as shown by unequaled, radical and permanent cures of

Scrofula Paorinala All kinds of Humor Rheumatism Blood Poisoning

Salt Rhaum Bolls, Pimples, Dyspepsia Debility, Etc.

Accept no substitute, but be sure to get Hood's, and get it today.

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F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolu-lu, Hawaiian Islands.

LEWERS & COOKE.—(Robert Lewers, F. J. Lowrey, C. M. Cooke.)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO .- Ma-chinery of every descrition made to

HONOLULU STOCK EXCHANGE-

Honolulu, December 30, 1903.

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SESSION SALES. Ewn. \$20.

METEOROLOGICAL RECORD. By the Government Survey, Published

Every Monday. THERM. # E a p m B NE WAW SW NNE

Barometer corrected to M F. and level, and for standard gravity of eat. 45. This correction to de for Wonelulu.

TIDES, SUN AND MOON.									
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4 4 8) 2 2 4 54 10.16 11 24 6 89 5 82 7.86 Full moon Jan. 2nd at 7:16 p. m. Times of the tide are taken from the faited States Coast and Geodetic Sur-

ey tables.
The tides at Kahului and Hilo occur bout one hour earlier than at Hono-

Mawalian standard time is 13 hours 30 cinutes slower than Greenwich time, sing that of the meridian of 167 dearea 20 minutes. The time whistle ews at 1:30 p. m., which is the same med moon are for local time for the

WHEN SUFFERING from a cold and you fear an attack of pneum secure a bottle of Chamberlain's Cough Remedy and use it judiciously. There is ro danger from this disease when this remedy is used. It always cures and cures quickly. For sale by all dealers and druggusts. Benson, Smith & Co., agents for Hawait.

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SUGAR BUSINESS ABROAD AS VIEWED BY CONSULS

The Hungarian Bonus --- Sugar Factory in Turkestan---World's Consumption Data---What Will be Left for the United Kingdom.

(Mail Special to the Advertiser.)

warded to the Department of Commerce and Labor the following about

clared, through a subcommission, that the State sugar-subsidy laws of Austria and Hungary were contraconventional in their provisions, the Government of Hungary found no other means of defending Hungary's consumption against the surplus production of Austria than the 71 cents surtax per 220.40 pounds agreed to by the Austrian Government as an interstate tax payable at the time of shipment from the one State to the other.

The last mail from Honolulu to the mainland for the year of 1903 went forward yesterday on the Oceanic Statistics:

Plants Production

TOOK LAST MAIL

OF THE YEAR

The last mail from Honolulu to the mainland for the year of 1903 went forward yesterday on the Oceanic Statistics:

Plants Production

"Up to August 31, 1903, the State premiums on exported sugar were in force, and in the internal trade the re-fineries assured a fixed price to the raw-sugar factories and paid to the said factories in cash any difference in comparison with the quotations in

"Since September 1 the Hungarian

sugar concerns have been trying to es-tablish a private system of bonification to take the place of the forbidden State subsidy represented in Hungary's Law II of 1903. On the 20th of this month (October) a meeting will be held at which the sugar concerns will sign the trust agreement for three years 16 AND CONSUMPTION. year before the end of that term, the agreement will remain in force two years longer. The substance of the agreement is that the internal consumption, equal to 86,000 metric tors.

A pamphlet recently published by Sir Neville Lubbock gives the following statistics of the world's production and consumption of sugar, beet and cane: sumption, equal to 86,000 metric tons, be proportionately divided among Hungary's 5 refineries and 15 raw-sugar factories. Each refinery will have in its charge a certain number of neighboring raw-sugar factories contracting separately to sell the latter's production of sugar. Over and above this control of the raw-sugar factories, the reau of sale, through which all Hungarian sugar will come on the market at prices fixed from time to time. These prices will depend on the arrangement not yet fixed upon with Austria's sugar concerns, which are threatening to flood Hungary with 16,000 metric fons yearly unless they are given some share in the profits of the new Hungarian

in the profits of the new trust.

"According to the published report of Messrs. Wertheimer & Frankl, of this city (Budapest), the Hungarian will consume their own product; the factories have succeeded thus far in United States will consume its own exclusively supplying the home market product and that of Cuba. Porto Rico, axelusively supplying the home market product and that of Cuba. Porto Rico, axelusively supplying the home market product and that of Cuba. Porto Rico, axelusively supplying the home market product and that of Cuba. Porto Rico, axelusively supplying the home market product and that of Cuba. Porto Rico, axelusively supplying the home market product and Hawaii; Europe will consume 2,656,000 tons and 2,750,000 tons product, especially loaf sugar, before November. The struggle between Hun gary and Austria will continue, they gary and Austria will continue, they think, for some time, though the prices of all refined sugars have fallen \$1.32 per 220.46 pounds. Present prices are, per 220.46 pounds: Loaf, \$14.21; cut, \$14.61; granulated. \$14.

"The amount of premium sugar exported from the lands of the Hungari-

an Crown during the years ended July

31, 19	0.2	and 1	903, was as	
Year	k	iley von	Over 99.3 per cent	
	45.	4	Metric tons	per cent Metric tons
1902.			. 146,844	17,081
1903.		****	. 141,134	17,981 80,261
CARRIED AND			The state of the s	and the second second

"The amount of raw sugar exported from Hungary to the United States during the calendar years 1901 and 1902 was 14,027 and 8,568 tons, respectively.
"During the first eight months of 1903 no sugar was exported from Hungary to the United States."

Consul General Oliver I. D. Hundard

onsul General Oliver J. D. Hughes, at Coburg, Germany, writes the De-partment as follows, regarding a beet sugar factory in Turkestan: "Near Taschkent, the capital of the district

of Turkestan, the erection of a beet-WASHINGTON, D. C., Dec. 17.— sugar factory was commenced some time ago, which is expected to be in working order in September, 1904. Its Consul at Budapest, Hungary, has for- annual output is estimated at about 50,000 double centers (11,000,000 pounds), about one-fifth of the total the new sugar bonus in that country:

"The Brussels convention having declared, through a subcommission, that
the State sugar-subsidy laws of Ausmore sugar than in European Russia,

Statistics:		102	
	Plants	Prod	uction
Country	in oper'n	1903-4	1902-3
50		Metric	Metric
	Number	tons	tons
Germany.	. 384	1,803,160	1,750,670
Austria	. 215	1,116,500	1,050,900
France	. 296	757,000	823,600
	. 100	215,300	200,000
Holland	. 29	129,300	102,300
Russia	. 275	1,103,000	1,169,600
Sweden	. 16	110,795	73,400
Denmark .	. 7	51,800	37,067
	-	711 1011 1011	

Total. ... 1,322 5,286,855 5,207,537

Country

To Committy	Lons	Lons
Europe (beet,)		
except Russia	5.722,000	4,390,00
Russia (beet)	1,000,000	1,215,00
British colonies	545,500	513,00
Egypt	96,000	90,00
India	3,000,000	3,000,00
United States,	20	
Cuba, Porto Ri-		
co. Manila and		
Hawaii.	1,804,500	1,920,00
Peru, Argentine	3/3/3/8/3/5	The state of
Republic, Dom-		
inican Republic.	100	
Mexico and	,	
Brazil	738.500	482,50
Iava .	767.000	842,50
Java. French Colonies	110.00	104,000
Trenen Colomesii	110,000	104,00
Total	12882 502	12 657 00
		12,037,000
CONSU	MPTION I	

sume 2,656,000 tons and 2,750,000 tons of its own beet-sugar production for the years given. This leaves available for the United Kingdom and other countries the following the followin countries the following amounts:

Troduct or	TANT	4.	1902-3	r
	To		Tons	ı
Europe (beet)3	.066,	BOO	1,640,000	h
British colonies	545.		513,000	ľ
Egypt	96,	hoo	90,000	ı
Peru, Argentine Re- public, Dominican Republic, Mexico,				
and Brazil	738,	100	582,500	ı
Java	767		842,500	ľ
French colonies	110,	ροό	104,000	ı
				an.

KAUAI CIRCUIT COURT NOTES

Total. 5.323.600 3.772,000

LIHUE, Dec. 29.—The following cases have been disposed of in The Circuit Court since last Saturday: Santiago, pleaded guilty to assault

and imminently dangerous to life, and was sentenced to two years' imprisonment at hard labor. Nishimoto, embezzlement,

guilty and was sentenced to six months' imprisonment at hard labor. William Charman, Henry Charman

and William Charman, Jr., charged with assault and battery on J. K. Farley, were tried by a jury and found guilty. Each of the defendants was fined 70 and costs.

Koakano Opeka, charged with bur-giary in the second degree, was tried by a jury and found not guilty. In this case Charles Blake, of Koloa, lately admitted to practice in all the courts of the Territory, appeared for the defendant and succeeded in getting his client

Phillipo Cruz, charged with stealing a watch, was tried and found guilty by a jury and was sentenced to six months imprisonment at hard labor. Another charge against this defendant was nolle pros'd.

Aby, a Japanese, was tried and found

Ramond Rodrigues, burgiary second degree, was found guilty and sentended to 12 months' imprisonment at hard la-

Ernande, assault with a weapon obviously and imminently dangerous to life, pleaded guilty and was sentenced to be imprisoned at hard labor for the term of one month.

There now remain on the calendar three criminal cases and it is expected they will be completed by Thursday. when the court will close for the term

BIG SEAS ROUND THE CONEMAUGH

With her decks showing the result of the terrific weather through which he vessel passed, the steamer conenaugh arrived in port yesterday from Nanaimo. The trip was a tempestuous one as soon as the vessel was off Flattery and for about eight days the Conemaugh's decks were washed over continually by heavy seas. On Tuesday morning of last week a tremendous sen broke upon the deck mounting to the upperworks, tearing away a punt from its fastenings, wrenching the iron supports. The life boat was lost. The sea swept along the length of the steamer carrying away ventilators and smashing in a port light. Some of the rooms were flooded. At times the decks were so covered with water that the roofs of the hatches were barely visible.

The Conemaugh brings 2250 tons of Nanaimo coal consigned to the Inter-Island Steam Navigation Company. After discharging she will take on about 2400 tons of sugar for New York. The Conemaugh left Seattle on December 12, and Nanaimo on December

so departed for the first time from the reconstructed wharf on Allen street the old stand" of the Oceanic company. The new sheds are very convenient and the location is much more handy than the Hackfeld wharf from which the vessels of the Oceanic company have been departing for several months.

The wharf was crowded and the Hawallan band was present to give the vessel a send-off.

Among those departing were the

TO REMAIN HERE

The rumor that the Artillery force at Camp McKinley is to be replaced by Infantry is not accredited at the Camp. Inquiry at the post yesterday elicited the information that the Artillery expects to remain here for some

The Ninth Infantry, which was designated by an afternoon-paper as the force to replace the Artillery, is not a colored organization. The only colored infantry regiments in the service are the Twenty-Fourth and Twenty-Fifth. The Ninth and Tenth Cavalry are colored regiments. The Ninth Infantry helped bear the white man's burden at the taking of Peking.

NAVAL OFFICERS ARE LEFT HERE

In obedience to cable correspondence from the Department of the Navy at Washington, Midshipmen J. H. Blackburn of the Wisconsin and F. S. Whitney of the Oregon, were detached from Admiral Evans's fleet and ordered to duty at Tutuila, Samoa, with the gun-boat Wheeling. The officers will leave for Pago Pago on the Sierra which leaves Honolulu on January 6.

MORE COAL FOR **NAVAL STATION**

Nearly 9,000 tons of coal are en route from Cardiff for Honolulu, consigned to the Naval Station. This will balance the coal taken away by the fleet, thus giving the station a supply of between 25,000 and 30,000 tons of the best coal.

Asia'stare Champions.

The Aala baseball team has been awarded the championship for the Winter League games which have been played at Kapiolani Park. The Aalas received a prize of \$95.00 and the Good

DOCTORS DISAGREE AS TO TEMPLETON THE BLUEFIELDS BANANAS STANDS OUT

Professor Perkins Is Suspicious of Allowing Them to Come In--- Dr. Jared Smith Offers to See That the Cuttings Do No Damage.

ported by the Board of Agriculture have been found to be very much diseased and they are to be kept under close watch at the United States Experiment Station while the plants are germinating. There was a long, and at times spicy discussion at the meeting of the Board yesterday afternoon before this action was agreed upon and there were also some differences of opinion as to the advisability of permitting the entrance of the canana cuttings at all.

The Board held an informal meeting on Tuesday to discuss the banana question, after Professor Perkins had liscovered that the cuttings were not in very good condition. It was decided then to thoroughly fumigate the plants and have Director Jared Smith take charge of them and prevent the spread of any blights or pests with which they might be affected. Mr. Thurston reng, saying that the cuttings came in a large quantity of soil and in an uninviting condition. It had been decided to propagate them at the Experiment

Professor Perkins, the government entomologist, stated that he was unable to pass an opinion upon the plants in their present condition. From the exmination already made he had found remains of the cane borer, and had also liscovered some insect life, which hight not be dangerous. He had also found some living beetles among the "I am inclined to be very suspicious about the plants," said Profes-sor Perkins, "this borer I found in the plants is allied to the cane borer and I might say it is dangerous."

Mr. Carter asked if disinfection would eliminate the borer.

"You can't eliminate the borer in any way without killing the plant," was the reply.

ficial, that you would allow the admis-sion of these plants?" asked Mr. Gif-"It is not so much an entomological

question as one of judgment," replied Mr. Perkins. "Has an examination been made to

see whether treatment for borers in cane will kill them?" asked Director

"Yes; you can't kill the borer."

There was some difference of opinion between Mr. Smith and Mr. Perkins over the effect of disinfection on plants.

Mr. Smith said that the cane borer was protected by the hard, salacious deposit on the outside, which saved the borer. He didn't believe that fumigation would affect the germination of the buds in the banana plants, but would kill the borer. He said also that fumi-

gation would kill anything. Mr. Perkins replied that it hadn't killed the borer, although it had killed the cane. He said that various tests had been made with the cane borer

been killed by the fumigation process. Mr. J. D. Dole said that he believed the cuttings should be planted. The bananas had been brought this far and would be taken care of at the Federal Experiment Station. Mr. Smith offered to take care of them. He said that the Biuefields was the variety so much wanted by the banana growers of the Territory, that 400 plants had been sent as a donation to the Board from the United States Department of Agriculture, and that a second lot could probably never be secured again. Prof. Smith said also that private growers had previously imported Bluefields bananas for themselves, both at Hilo and Honolulu, and if the Board did not take care of the plants they had, individual growers would continue to import at their own risk. He said that with proper treatment the borers or any ther insect pest would be killed, and the plants could be propagated afterwards. "I would hate very much to see these plants destroyed only on fragmentary evidence of borers such as we now have." said Mr. Smith.

Mr. Giffard then moved that the previous action of the Board be confirmed. but said that he would not vote on the question. He said that a shipment of pineapples had been condemned on not be admitted unless the entomologist recommended It.

Mr. Perkins stated that he had passed the pineapple plants in question and the Board had overruled him and he had to use moral suasion to get possession of the cuttings again.

Mr. Carter said he favored the motion, and didn't believe the case of the pineapples was at all analogous. The banana industry was a small one, and he believed it should be encouraged in every way and the cuttings should not be refused admission on a mere pos-sibility that they might be infected.

Mr. Dole and Mr. Brown took the same view, the latter saying that agriculture would have to be thrown overboard entirely if such a precedent was established.

Mr. J. E. Higgins of the Experiment Station said he had been studying the ana industry in foreign countries and nowhere was there report of dam-age through the borer. Mr. Van Dine stated that he believed the banana plants he had examined would germinate and that the danger of spread-

The Bluefields banana cuttings im- Experiment Station was then adopted, it being further provided that Director Smith should keep a close watch on the plants and also that suckers should be turned over to the Board of Agricul-

visors met yesterday morning in Castle & Cooke's hall and considered many important items concerning the conduct of and the appointments to offices under the various departments. Among were the consolidation of the garbage, excavator and sewerage departments also not to distribute the plants but and the desirability of wielding the axe in the road department,

It was also practically decided to consolidate the positions of the First and Second District Magistrates of Honolulu, under Judge Lindsay, the present Second District Magistrate, and severni deep cuts were made in the Circuit Court Items.

The supervisors present were J. Gilman, John Lucas, A. Hocking, S. K. Mahoe and J. M. Keaioha, Harry Murray, County Clerk, and Chris, Willis, County Surveyor.

Surveyor Willis recommended the allotment of two assistants in his department, as maps of Oahu, including roads, etc., had to be duplicated for ise in his office. In answer to a statement that all present public records relating to his office would be turned ver to him, Mr. Willis repiled that he did not believe the Public Works Department had all the maps that would be required by him. The supervisors suggested that only one man be employed at first at a salary of \$150 per The Supervisors agreed to the employment of one man at the salary stated.

Clerk Murray stated that the superntendent of the sewer pumping stareceived \$125 per month, the surveyor and engineer, \$100, and the assistant surveyor and engineer, \$75.

The supervisors agreed that the tug Eleu be dispensed with by the county. It was suggested by Mr. Gliman that f the work now being done by the excavator department be taken up by some one on a contract basis, a revenue might accrue to the government, and the present expense could then be cut down. It was also suggested that the surveyor's department could take charge of the sewer pumping station and the surveyor do the engineering work, thus saving a monthly salary of

trict Attorney Rawlins was endeavoring to secure Judge Lindsay, at present the magistrate of the police court, to be his deputy. The supervisors were practically unanimous in having Judge Lindsay remain at his present post. It was further suggested that Judge Lindsay could perhaps do the work of Judge Dickey's court as well. As outlined in the Advertiser yesterlay, it was brought to the attention of

he supervisors that the road department force is too large and expensive. Jpon the advice of Mr. Hocking, however, the matter will be given full investigation before any decision reached as to what economy shall be practiced in this department.

At this juncture Supervisor Robinson came in, accompanied by Mr. Strouli, bookkeeper of the Road Supervisor's office. Mr. Sproull stated that in his opinion the office force could not be reduced. He was personally engaged in new work and it was necessary to work overtime Chairman Gilman presented the fol-

lowing estimates for the Road Departsimilar grounds, and it would be in-consistent now to admit the banana \$200; assistant supervisor for Fourth plants. He believed that they should District, \$125; same, Fifth District, \$125; bookkeeper, \$150; clerk, \$125; office boy, \$50, a total of \$775 as against the \$1200 being paid each month at the present

The Water Works Department was next discussed. A list of employees presented to the Board showed that the total expenses incurred through their employment amounted to \$2,777.

Mr. Gilman stated quite forcibly that the installation of reservoirs in Nuuanu Valley to hold twenty-five to thirty million gallons of water would do away with the present expensive system of pumping, and eventually make a large saving to the city. There was need for shaving down expenses, even though the department collected revenue to the amount of \$40,000 per year over and bove all expenses.

Messrs. Gilman, Harvey and Lucas were appointed to select furniture for the county offices.

NOTICE.

The Kapiolani Maternity Home will be opened this afternoon for a receping the borer had been reduced to a tion from two to five o'clock. The new minimum.

The resolution providing for the turning over of the plants to the Federal attendance. The public is invited.

On the Matter of House Vouchers Inquiry.

presented by the Territorial grand jury before Judge Robinson yesterday moru-Mr. Templeton, constituting the minority, only dissented from the con-clusion that there had not been sufficlent time for investigating the House vouchers matter to justify any indict-

The unanimous finding of the grand jury reveals a community scandal that, in all probability, will be a topic in Judge Robinson's charge to the grand jury for the January term, of which he is to be the presiding judge. In receiv-ing the report of the grand jury for the September term just closing, Judge Robinson acted in the absence from the Territory of Judge Gear, who was the presiding judge and thus in charge of the ctiminal business.

Following are the majority and minority reports:

THE MAJORITY REPORT.

"This jury has been in ses September 8, 1993, and during that time one hundred and ten matters have been presented for its consideration. Seventy true bills have been found and in forty cases the charges were ignored.

"Among the matters considered were the alleged election frauds during the last election, a full report of which has been heretofore presented.

"It has been brought to the attentution exist flagrantly in the residence district of the city. This jury would recommend that the police department take up this matter to the end that the better element of the community be freed from daily contact with the evil.

"This jury has had under considera-tion the vouchers of the last Territorial House of Representatives, but owing to the shortness of time to the end of the term, the matter having only been taken up December 14, this jury has been unable to give the same the thorough and exhaustive attention necessary. In fact the vouchers for but one matter have been presented by the Attorney General's department for its consideration and it is the sense of this jury that a fuller presentation and more thorough investigation be had, before, in justice to all concerned, any arraignment be made of any particular

person or persons. "For reasons set out in the foregoing this jury would urgently recommend that the Territorial grand jury for the January term take up these vouchers for a more full and thorough examina-

This jury would call the attention of the Superintendent of Public Works to the condition of the streets of Honolulu caused by the removal of the tracks of the Tramways Company and would recommend that the parties responsible be compelled to repair the same at once.

"This jury has visited the Territorial insane asylum and found the same to be in good condition with the exception of the cesspool. The treatment of inmates is humane and their condition ameliorated so far as is possible with the means at command. It is recommended that the present cesspool be closed and a new one provided, also that the force of guards and matrons

"The penitentiary has been visited by this jury and found cleanly and well conducted."

(Then follows a list of true bills, four all, which were ordered on the secret file, pending the arrests of the accused.) SAMUEL PARKER,

W. L. EAKIN, R. K. PAHAU, WM. L. PETERSON, S. MAHELONA, C. A. VIERRA, ELI J. CRAWFORD, A. K. AONA, J. J. SULLIVAN, E. B. MIKALEMI, JOHN K. INCH, W. LEGROS, GEO. W. MACY, SOL. A. HIRAM, A. B. McCORMICK, ULYSSES H. JONES, H. A. GILES, C. J. FALK. MINORITY REPORT.

'I concur in the accompanying general report of the grand jury with the exception of that portion relating to the vouchers investigation. On cases presented and investigated there was an abundance of competent evi-dence produced by Attorney Rawlins upon which, to my mind, true bills of indictment could have been found. "W. M. TEMPLETON."

HAWAII AS A CUSTOMS DISTRICT

The following list of Customs Disricts of the United States shows that Hawaii is eleventh in scale of importance while Puget Sound is sixteenth. Districts are rated which collected over \$1,000,000 in the fiscal year:

2. Boston	7.43 44.72
3. Philadelphia 22,973,81	14.72
4. Chicago 9.751.6	
5. New Orleans 8,670,5	35.07
6. San Francisco 7,850,70	05.85
7. Baltimore 5,417,3	60.70
8. St. I / 8 2.035,00	4.62
9. Tampa 1,301,9	36.36
10. Detroit 1,272,5	55.58
11. Hawaii 1,193,6	77.83
12. Newport News 1,120,4	18.76
13. Cincinnati 1,106,0	10.09
14. Cuyahoga (Cleveland) 1,088,66	9.32
15. Vermont 1,051,2	15.99
16. Puget Sound 1,027,7	4.04

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OF LONDON, FOR FIRE AND LIFE. Established 1836. Accumulated Funds £2,975,000.

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George F. Blake Eteam Pumps Weston's Centrifugals. The New England Mutual Life Insurance Company, of Boston.

The Aetna Fire Insurance Company,

of Hartford, Conn.

Castle & Cooke.

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Asina Life Insurance Company OF HARTFORD.

THE NEW FRENCH REMEDY. THERAPION. This successful mody, used in the Continental Hospitals by Ricord, Rostan, Jobert, Velpeau, and others, combines all the desiderata to be sought in a medicine of the hind, and surpusses everything hitherto employed. THERAPION No. I maintains its world-sements of the kidneys, pains in the back, and kindred allmosts, affording prompt relief where other well-tried remedies have been powerless. THERAPION No. 2 for impurity of the blood, scurvy, pumples, spots, blotches, pains and swelling of joints, gout, rebumatism, & alldiseases for which its has been too much a fashion to employ mercury, examparilis &c., to the destruction of sufferers' toeth and ruin of health. This preparation purities the whole system through the blood, and throughly eliminates all poisonous matter from the body, "THERAPION NO. 3 for exhaustion, sleep-bassiess, and all distressing consequences of designation, worry, overwork, &c. 1: possesses ourprising power in restoring strength and vajor to those suffering from the enervating influences of long readence in hot, unhealthy climates.

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HAWAIIAN

Pass Into Federal Control Jan. First.

Action, was taken from Washington by telegraph yesterday for the transfer of the lighthouses on the coasts of the Hawaiian Islands from Territorial to Federal control and maintenance.

Hawali will not of itself be a lighthouse district, as Governor Carter hoped it might be made, but form part of California, the twelfth lighthouse district of the United States.

Lieutenant Commander A. P. Niblack, captain of the Honolulu navy yard, will be the Federal official to take charge of the Hawaiian lighthouses. He received the appointment of sub-inspector The very best Lime and in the of lighthouses in the Territory of Hawaii yesterday morning by cable, with orders to report for instructions to Secretary Cortelyou of the Department of Labor and Commerce. Captain Niblack promptly responded and now awaits instructions.

Governor Carter, on the part of the Territory, received advices at length by cable from Secretary Cortelyou of the Federal Government's plan for taking over the lighthouses punctually at the first of the approaching year. Appended to the message was a proclamation by the President taking over all lighthouse property in the islands, together with buoys and sea marks, for the uses and purposes of the United States, and placing the entire lighthouse establishment of the islands in charge of the Department of Commerce and Labor.

The message and proclamation, with Governor Carter's cablegram in reply, are here given:

"The Federal Government will assume charge of the Hawaiian Lighthouse service on January first next, temporarily taking all lighthouse keepers into its employ on that day,

"This department authorizes you to furnish at its expense supplies abso-The Alliance Assurance Company, of lutely necessary for one month, you mustaches, but this one wears his rathtaking vouchers for each item of expenditure and to keep each lighthouse

> "Blank vouchers are sent you by mail; a letter follows this cablegram. Answer.

"Proclamation is cabled herewith. "GEORGE B. CORTELYOU, Secretary Department of Commerce

and Labor. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA. "A PROCLAMATION.

"Whereas the maintenance of lighthouse and other aids to navigation in the Territory of Hawaii is necessary for the safe navigation of the waters thereof by the vessels of the Navy and of the Merchant Marine of the United year. States and for the promotion of its commercial interests;

"Now, therefore, I, Theodore Rooseby virtue of the authority in me vested and pursuant to Section 91 of the Act of April 30, 1900, entitled an Act to Provide a Government for the Territory, of Hawaii, do hereby declare and proclaim that all the public property of the former Government of the Republic of Hawaii ceded heretofore the United States, consisting of lighthouses and the public lands ad-jacent thereto and used in connection therewith to the extent of five acres or thereabout adjacent to each lighthouse when practicable to obtain so much, the exact location of said land and its metes and bounds to be hereafter determined and defined by the Lighthouse Board, light vessels, lighthouse tenders, beacons, buoys, sea-mark: and their appendages and all apparatus, supplies and materials of all kinds provided therefor, and all the archives, books, documents, drawings, models, returns and all other things appertaining to any lighthouse establishment maintained by the said Government of the former Republic of Hawaii, be and hereby are taken for the uses and purposes of the United States, and the Department of Commerce and Labor, through the Lightiouse Board, is hereby charged with all administrative duties relating to the

said lighthouse establishment. "In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the City of Washington this twenty-eighth day of December in the year of Our Lord One Thousand Nine Hundred and Three and of the Independence of the United States the One Hundred and Twenty-Eighth.
"THEODORE ROOSEVELT.

By the President: "FRANCIS B, LOOMIS, "Acting Secretary of State."

Governor Carter's reply was as follows: "Geo. B. Cortelyou, Washington "Lighthouse instructions will be compiled with and proclamation made

public today.

"CARTER, "Governor."

The Commercial and Official Record contains all meeting notices and all corporation notices of every kind and descrip-

CREATE NEW DEPARTMENT HANDICHAFT ABSENT-MINDED HONOLULANS

LIGHTHOUSES People Who Leave All Kinds of Articles in Street Cars Cause Company to Maintain a "Lost Article Bureau."

discharging any rain. Cameras are

frequently left on the seats. Women are prone to leave their handbags con-

taining any number of what-nots and

unmentionables. Children leave school

books and the literary patron is known

Lunch baskets are not infrequently for-

gotten. Then lockets and watch fobs

selves from the possession of wearers

One day a conductor picked up what

appeared to be a scrap of paper. It

was folded, and out of curiosity, for he

had no fares at that time to collect,

he unfolded it and was surprised to find

it was a marriage license. Whether

two hearts that were to beat as one,

were cruelly held apart until another

There is an old adage that "a fool and his money are soon parted," but

this cannot, of course, apply to patrons

of the street car line who are prone to

filled, with gold and silver.

down at times to a few nickels.

within three months.

the article has been turned in there.

CONFIDENCE

in things that they see, and in a

broad sense they are right. What

is sometimes called blind faith is

not faith at all. There must be

reason and fact to form a foun-

dation for trust. In regard to a

medicine or remedy, for example,

people ask, "Has it cured oth-

ers? Have cases like mine been

relieved by it? Is it in harmony

with the truths of modern science,

and has it a record above suspic-

ion? If so, it is worthy of confi-

dence: and if I am ever attacked

by any of the maladies for which

it is commended I shall resort to it in full belief in its pow-

er to help me." On these lines

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mong medical men, and the people of all civilized countries.

They trust it for the same reason

that they trust in the familiar

laws of nature or in the action

of common things. This effective

remedy is palatable as honey and

contains the nutritive and cura-

tive properties of Pure Cod Liver

Oil, extracted by us from fresh cod livers, combined with the

Compound Syrup of Hypophos-phites and the Extracts of Malt

and Wild Cherry. It quickly e-

radicates the poisonous, disease-

breeding acids and other toxic matters from the system; regu-

lates and promotes the normal action of the organs, gives vigor-

ous appetite and digestion, and is

infallible in Prostration-follow-

ing Fevers, etc., Scrofula, Influenza, Asthma, Wasting Diseases,

Throat and Lung Troubles, etc.

Dr. W. A. Young, of Canada, says:

"Your tasteless preparation of

cod liver oil has given me uni-

formly satisfactory results, my patients having been of all ages."

It is a product of the skill and

science of to-day and is success-

ful after the old style modes of

treatment have been appealed to

in vain. Sold by all chemists.

Waterfront's Aching Veld.

There was an aching void on the wa-

terfront yesterday after the departure

of the warship fleet. The naval docks,

for nearly two weeks the scene of ex-

traordinary activity, looked like a de-

serted section of the town, mementos

of the visit showing in a collection of

oil barrels and other debris. In a day

or two Captain Niblack of the Naval

Station will have the docks restored to

their usual neat appearance and will

also have a general cleaning up all

around the station. The Naval Row,

where five warships were anchored dur-

ing their stay, had an extremely vacant

look, and in fact the harbor looked

like a house stripped of furniture on

If it is worked right at Washington the Asiatic fleet might be ordered, dur-

ing every peaceful year, to make a

maneuvering cruise to Honolulu. Pos-sibly the North Pacific squadron could

be brought here at the same time for

the same purpose. Some months ago

such a plan on the part of the Navy

Department was rumored, and it is not

improbable that the original orders to

moving day.

knoweth not.

and are picked up from the floors.

when he or she leaves a book behind.

A rapidly increasing department of when the sky is threatening but not the Honolulu Rapid Transit Company's business is the "Lost Article Bureau" to which contributions are daily made by the patrons of the line. The increase of deposits with this department has caused the opening of a set of books in which the articles are carefully enumerated with blank spaces for the names of the conductors who act as the patrons' proxies, and for the names of those who may eventually claim

It is surprising how absent-minded Honolulu folk are, especially when they ride on a car with bundles which they license was procurable, the conductor are prone to lay on the seat beside

A patron-the men are just as absent-minded as the women-boards a ear with a parcel or two in his hands. The habit of gazing at the scenery along the route causes his thoughts to wander far from his possessions and by the time he desires to leave the car. he has probably forgotten all about the parcel which he laid so carefully beside him on the seat. After he reaches his home his thoughts occasionally wander back to his ride, and there is a sense of something not having been brought home that he started with. Either his own memory prompts him to dwell upon the missing parcel, or his wife assists him in remembering it. There is a hurried call on the telephone for the Rapid Transit office and a conversation takes place about as follows:

"Hello, Rapid Transit; this is Mr. So-and-So; I've lost a parcel-a parcel of meat-and I think I left it on the street car. When? Oh, about half an hour ago. No, let's see, it was about an hour ago. Well, I was riding on a car-Wilder Avenue line-oh, yes, conductor is a tall man, wears a mustache, No, I don't know the number of the car, but that's the conductor. Oh, yes, I know there's lots of conductors with er short. All right, I'll call around tomorrow morning. But say that package has meat in it. If it comes in can't you put it in a cool place, near the water-cooler? Allright, Goodbye."

The conductors pick up all manner of strange things on the cars and promptly turn them in to the office, where they are carefully recorded with the name of the conductor, the number of the car, time of day or night when found, and the day of the month.

For the month of December up to yesterday, forty articles had been turned in, making an average of about one and one-half articles per day Sometimes three or four are turned in every day, but there is generally one lost parcel recorded every day in the

One day a patron left a bettle of whiskey and a day or two later a con-"Now, therefore, I, Theodore Roose-velt, President of the United States, which had been stowed away under a seat, into the office. Umbrellas are found in quantities, especially on days

Elegant **Perfumery**

We claim to have THE FINEST line of HIGH GRADE scents ever shown in this city, of FRENCH, ENGLISH, GERMAN and AMERICAN Manufacture.-In beautiful sets or cut glass bottles. What is more acceptable to

the Ladies?

PRICES ARE RIGHT

Only a few beautiful triplicate Tollet Mirrors left.

HOLLISTER DRUG CO., FORT STREET.

CHAS. BREWER CO.'S NEW YORK LINE

Ship Tillie E. Starbuck sailing from New York to Honolulu March 1st. FREIGHT TAKEN AT LOWEST RATES, For freight rates apply to

CHAS, BREWER & CO. 27 Kilby St., Boston OB C. BREWER & CO.,

Some Real Gems Turn Up in Educational Exhibits.

As the cases of exhibits for St. Louis are opened in the Education office, many articles are revealed which cause exclamations of admiring wonder. Certain lines of handicraft are represented by objects that suggest great commercial possibilities if produced on any large scale.

There are hats for women and girls which could not fail of becoming the rage if exposed for sale in any mainland city. One specimen weaved from the leaves of the loulu, or Hawaiian pahu, made at the Hookena school in Kona, Hawaii, is as pretty a hat as ever adorned the head of beauty.

Kealahou school at Waiakoa, Maui, leave their purses on car seats, often has some artistically embellished literature from its own press which is realleft by women and children. Often a conductor is surprised to pick up a ly superb. Original and eclectic artipurse which contains a large sum of cles in prose and verse are printed on money. A purse was once picked up by sheet's that are hand decorated in water a conductor which held \$62.00. Another colors with local landscapes and flowheld \$50,00 and the contents dwindle ers, the taste and technique of execution About half the lost articles are claimbeing such as would not discredit an ed. The remainder go to the conducexhibition of the Kilohana Art League. tors who found them if they are not Another splendid composition from this obscure country school, bearing sigpurse with \$62 went to the conductor. natures indicating that pupils of sundry When a person misses a parcel, umbrella or anything he has had in his alien races did the work, is an elaborpossession and remembers that he or ate art calendar. The top part is a she rode on a car during that time, it would recompense them to inquire of hinged screen, its two leaves covered the Rapid Transit Company whether with sketches of flowers and scenery, interspersed with fanciful designs. From this depends the calendar, each month upon a separate card, the cards fastened with fancy cord and ribbons, and hand said Lord Chatham, "is a plant paintings decorating every card. It of slow growth." People believe

> came to Hawaii with a high class diploma and is an all-round educator. Lahaina school constributes a large assortment of cocoanut shell baskets, Kailua sends a coffee measure woven out of lauhala leaf, also a fine assortment of hats. An elegant shell lei

would make a beautiful wall piece for

a boudoir. As showing that it is not

sends a complete set of books in book-

keeping. The teacher, it is learned,

comes from Hanalei. Waihee produces novelties cushions adorned with woven lauhala stands in grillwork. Pearl City school

beautifully lettered covers. Among the most important handicraft exhibits are those of real lace. gave judgment that a collar of that description would be worth from \$75 to \$100. The lace represents but two Supreme Court of Hawali. months of the special instruction in this art for which the Legislature made Hawalian Tramways Co., when it apan appropriation on the urgent petition pealed to the United States Supreme of several ladies of Honolulu. One of ing of the appeal now, on motion of the gives a portion of her time to Normal in the amalgamation process, School students, is to teach celerity in the work, as without quickness of execution the profit of the industry would be spent in time of production.

SEVENTH INFANTRY LIKED HONOLULU

The Chronicle says: Recent word

from the ever beloved Seventh Infantry, which, though lost to sight, is none the less to memory dear, states the good news of a safe trip to the Orient and a pleasant step-over at fascinating Honolulu. While at the latter place nearly everybody in the regiment dined at the Royal Hawaiian Hotel or at the beautiful new domicile on the beach. At both places dances were given in the Seventh's honor, which proved to be jolly affairs. The Hawailan songs, in their romantic scenic settings, charmed as usual. Their ideal fitness to tropical surroundings never fails to attract even the unmusical stranger. In courtesy to the visitors several popular American songs of the day were given with good effect, one of the prettiest being "The Congo Love Song." In the opinion of the listeners York. no just criticism can be given that selection until the critic hears it, as did the delighted members of the Seventh, sung by a fine, clear tenor voice in a tropical roof garden of a moonlight night.

The customary tourist routes were done; the beach at Waikiki tried; the tropical fruits enjoyed. All too quickly passed the days till the Sherman was on its way again.

The Territorial band will play the Alameda off at the newly built Oceanic dock, this morning. Tomorrow afternoon the band will play from 2 to 5 at the Maternity Home reception in honor of the late Queen Kapiolani's birth-

A Bad Skin

will see it is full of blood, full all the time. But what kind of blood? Rich and pure? Or thin and impure? Pure blood makes the skin clear, smooth, healthy. Impure blood covers the skin with pimples, sores, boils, eczema, eruptions, tetter, salt-rheum.



Mr. Frank Hewett, of Kalgoorlie, W. A., "When a boy my skin broke out in bad sores "When a boy my skin broke out in our sores about my hands. After trying a great many remedies in vain, I took Ayer's Sarsaparilla and was quickly cured. Recently I was troubled again with severe boils, but one bottle of the same old remedy completely cured.

AYER'S Sarsaparilla

There are many imitation "Sarsaparillas." Be sure you get Ayer's. Aid the Sarsaparilla by keeping your bowels in good condition with Ayer's Pills. Prepared by Dr. J. C. Ayer & Co., Lowell, Mann., U.S.A.

HOLLISTER DRUG CO., Agents,

ECHO OF STREET FRANCHISE WAR

The last echo of the franchise war between the Rapid Transit Co. and the Hawaiian Tramways Co., which ended the past year in amalgamation under the former corporation's name, comes in the following item from the record of the Federal Supreme Court in a Washington paper of December 14: No. 116. The Hawaiian Tramways Company, limited, plaintiff in error, a school of mere fancy work, Kealahou agt, the Honolulu Rapid Transit and Land Company, limited. In error to the Supreme Court of the Territory of Hawaii. Dismissed with costs on motion of Mr. J. J. Darlington for the plaintiff in error.

On a submission of facts the Hawalian Supreme Court decided that the Hawaiian Tramways Co., did not pos-sess exclusive rights of operating a street railway upon the thoroughfares where its system extended. Some time later the Hawaiian Tramways Company renewed the fight against the Rapid Transit Co., to prevent its steadencases decorated class exercises in ily advancing encroachments into complainant's claimed territory, in the United States District Court.

To the contention of respondent that the matter was res judicata from the sample was shown to a local dealer, who decision in the Territorial highest court, the communicant endeavored to make out that it, as a corporate body, did not authorize the submission to the

Judge Estee decided adversely to the appellant, is merely a closing incident

BULK OF LOAN MONEY IN VAULT

A brief local in yesterday's Advertiser, to the effect that the bank of Claus Spreckels & Co., had paid \$200,000 of the loan fund into the Treasury, was misleading without reference to previous items on the subject. Spreckels' bank by the payment of Monday completed its full allotment of one quarter of the million dollar loan and accrued interest.

Yesterday the Bank of Hawaii paid in \$101,820.88, having previously deposited \$50,000 of its loan quota.

Bishop & Co. have paid a second \$50,000.

As none of the four banks undertaking to bring the loan fund from New York were obligated to make good until January 14, the fact that the greater portion of the million and odd is now in the Treasury vault speaks volumes for the resources of Honolulu banks.

The First National Bank of Hawaii put up its coin in full on the very day it was advised by cable of the honoring of its draft for the amount in New

A TIMELY SUGGESTION.-This is the season of the year when the pru-dent and careful housewife replenishes her supply of Chamberlain's Cough Remedy. It is certain to be needed before the winter is over, and results are much more prompt and satisfac-tory when it is kept at hand and given as soon as the cold is contracted and before it has become settled in the In almost every instance a severe cold may be warded off by tak-ing this remedy freely as soon as the first indication of the cold appears. There is no danger in giving it to children for it contains no harmful sub-stance. It is pleasant to take-both adults and children like it. Buy it and you will get the best. It always cures. Sold by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

F. A. SCHAEFER & CO., Agts

German Lloyd Marine Insur'es Co OF BERLIN.

General Insurance C OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the seat at the most reasonable rates and on the most favorable

F. A. SCHAEFER & CO., General Agents.

General Insurance Co. for Sea-River and Land Transport. of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorised to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CC.,
Agents for the Hawalian Islands.

"The **Overland** Limited"

ELECTRIC LIGHTED

California

To the EAST via

The Union Pacif

This Train is really a First-Class Modern Hotel

with Handsome Parlors, Drawing Rooms, Bed Chambers, Boudoirs, Lifraries, Smoking and Reading Rooms, Barber Shops, Bath Rooms (hot and cold water), superbly appointed Dining Rooms, glittering with Mirrors, Cut Glass, Fragrant Flowers, Electric Candelabra, etc.; Promenades, Observation Rooms, Electric Lights, Electric Fans, Telephones, Electric Reading Lamps, Perfect Heat, etc.

Full Information Cheerfully Furnished on Application to

S. F. BOOTH,

General Ag nt. Montgomery St , San Francisco

. . OB . . E. L. Lomax, G. P. & T. A.

ONCE MANAGED A SUGAR ESTATE

Martin Richter, whose position was that of assistant manager in the of- although a state of public peace prevailfices of the Swiss Marine Insurance ed; although the ladies of the town, Company, at 315 California street, ended with their children, were driving about his life yesterday afternoon with a bul-let. What prompted Richter to destroy his life is a mystery, and the manager of the company refuses to talk. Illness is given as a possible cause, but a letter left by the unfortunate pren to his

ager of a sugar plantation in Hawaii for many years, but came to this city about eleven years ago and secured employment in the offices of Gutte &

Frank, insurance agents at 303 California street. On July 18 he severed his as quiet as a Quakers' meeting. Were connection with this firm, saying that you asked by the Queen's Government he had secured a better position with to land these troops, and why are the Rosenthal. Gutte says that so far as he knows there was nothing wrong with Richter's accounts but since news of the suicide reached him an investi-gation will be commenced at once. At the time Richter left for his new place

a highly complimentary letter was given him and was found in his possession yesterday.—Call.

RELIEF AFTER SIX YEARS.—Mrs. M. A. Clark, of Timberry Range, N. S. W., Australia, writes: "I wish to in-form you of the wonderful benefit I have received from your valuable med-icines. I suffered from a severe cough for six years and obtained no relief until I took Chamberlain's Cough Rem-edy. One bottle cured me and I am thankful to say that I have never had the cough since. Make any use of this letter that you like for the good of any other poor sufferers." For sale by all dealers and druggists. Benson, Smith & Co., agents for Hawali.

Homburg-Bremen Fire Insurance Go | HISTORY MANGLED

Hawaii.

The measure of Richard Harding Davis as an historical writer may be fairly taken in this excerpt from the Saturday Evening Post of Dec. 19, in

an article on "Revolutions to Order". In the overthrow of the Queen of the Hawaiian Islands there was no question of misled sympathy. On that occasion our minister, John L. Stevens, was one of the prime movers in the revolution and was assisted by Cap-tain Wiltse, of the cruiser Boston. How far our Government aided and abetted Mr. Stevens it is difficult to determine. A letter marked "Gonfidential," from John W. Foster, then Secretary of State, to Mr. Stevens, helps to explain why the part played by our Government is still difficult to determine. In this letter he says: "Adverting to your current dispatches in relation to the course of political events in the Hawaiian Islands, many of which are marked by you 'Confidential,' and for obvious reasons, I desire to suggest that you endeavor to separate your reports into two classes. one of which shall aim to give the nar-rative of public affairs in their open historical aspect, and the other to be of a strictly reserved and confidential character, reporting and commenting upon matters of personal intrigue and the like so far as you may deem neces-sary for my full understanding of the situation. Many of your dispatches com bine these two modes of treatment to such a degree as to make their publica tion, in the event of a call from Congress or other occasion, therefore, in-expedient and, indeed, impracticable, without extended omissions." In spite of the "extended omissions" it is still possible to see throughout the course of the revolution the guiding hand of our Government and its agent, Mr. Stevens. In 1893 the passage of the McKinley Bill had made it impossible for the su-gar-planters in Hawaii, most of whom were Americans, to carry on that in-dustry at a profit. Their only hope of avoiding the tariff lay in Hawaii be-coming a part of the United States. On account of its strategic value in the Pacific the United States desired Ha-The desires of both the Government of the United States and of the American sugar-planters being the same. they combined to overthrow the only obstacle to their plans-Queen Liliuoka-

On January 14, 1893. Queen Liliuoka lani prorogued the Legislature and pro-posed a new constitution which returned to the crown many powers and privileges it had formerly enjoyed, but which, in a previous revolution in 1887, had been taken from it. There was such instant objection to this new constitution on the part of the Queen's own Cabinet that she changed her purpose RUNS EVERY DAY IN THE YEAR and announced to the people by word of mouth and by a proclamation that there would be no changes except by methods authorized in the then existing laws. But this threat of a new constitution gave those who were plotting against her Government the excuse for which they were waiting. Although the Queen had entirely given up her idea of a new constitution, the Americans in the city revolution in Colombia continued for of Honolulu pretended to believe that three long years, and of those engaged their liberties were in danger, and they assembled in mass meeting and arranged a Committee of Safety and organized for their defense.

THE NURSERY MAIDS' INSUR-RECTION.

A Mr. Loper, who was invited to lead the volunteer forces of the foreign ele-ment, declined the honor unless he could first talk to the American minister. the Legation Mr. Stevens gave him the assurance he desired. The next day ter left by the unfortunate man to his wife contains statements that lead the police to believe that money troubles may be involved.

Richter was a native of Germany and about 56 years of age. He resided with his wife at 539 Clayton street. They had no children. He was a mannager of a sugar plantation in Hawaii quest the marines were landed. He said: "The ladies about town are very nervous and fear trouble."

Mr. Wodehouse replied: Why, the

town, Mr. Stevens, is perfectly quietfor land these troops, and way are the forces occupying an armed position on the principal square of the town, commanding the Palace and Government building?"

Mr. Stevens made no answer.

"We left," says Wodehouse, "and are satisfied that Stevens means to assist a

movement from the Committee of Safety." The Queen's marshal ordered the troops at his command to be prepared for an attack upon the Government, and called for volunteers. He assembled them at the police barracks and awaited the coming upheaval. It came the next work in the Government building. These SIXTO LOPEZ IS latter, on seeing a group of gentlemen reading a paper to themselves, leaned from the windows in order to hear what it was about. Thus with the aid, and only with the aid, of the marines the provisional government was estab-lished.

Or, to be quite fair, and to give credit where it is due, one should add that on this historical occasion our marines were assisted by the armed forces of the revolutionists to the extent of Mr. A Popular Author
Oscar White with a gun. The presence of Mr. Oscar White is mentioned by several witnesses. One testified that he said, "Oscar, it is not prudent for you to be here with only one gun." to be here with only one gun."

The Queen's marshal, from the bar-

racks where his troops were assembled to the number of six hundred, sent word to Mr. Stevens to inquire if the United States forces intended to recognize the thirty gentlemen on the steps and the belligerent Mr. White. Mr. Stevens replied that he already had recognized the provisional government. This was only an hour after it had announced it's ex istence, and is the record for rapid recognition.

The Queen, with a very proper ap preciation of the situation, surrendered not to the provisional government, but to "the naval forces of the United States." Mr. Cleveland, who, shortly after this occurred, became for the second time President, endeavored to undo the work of Mr. Stevens and to reinstate the Queen. This act of justice, however, was frustrated by Congress—which in this case represented the wishes of a majority of our people—and by the Queen herself. For, seeing that she was so strongly supported, she demanded that those who had opposed her should be beheaded. This bloodthirstiness disgusted every one, and Mr. Cleveland, who, in spite of much opposition, had patiently endeavored to give her justice, withdrew his support.

In January of 1901 our Government

sent three gunboats to La Guayra to in-timidate President Castro, who had threatened to take away a concession from the Bermudez Asphalt Company and bestow it upon the rival Warner-Quinlan Company, of Syracuse. The dispute was one which should have been settled through the courts and by a sur veyor's transit, as it was entirely a ques tion of boundaries. But the Asphait Trust represented that a revolution had broken out which threatened their property at Guanaco and the lives of their employees. At the time they asked for warships the revolution was mildly progressing at Catupano, a place as far removed from the property of the As-phalt Company as is Chicago from New York. As a matter of fact, nothing happened to the zinc sheds and mud hut of the Asphalt Company, and the only result of our bullying a small and friendly Power with our warships was to gain its dislike and again to see our bluejackets mobbed by overexcited pat-

Fortunately, our last and most important act as an incubator for baby re-publics was without bloodshed, and our sovereignty has been established at the most important strategic point of the two continents, apparently to the satisaction of all concerned.

For, what our Government repudiated in Walker it has accomplished in its own way in Panama, just as the Eng-lish Government, after punishing Doc-tor Jameson, took his unfinished raid in hand and finally succeeded in over-throwing the Transvaal Republic. For attempting to do the same thing it had sent him to Holloway jail. In the revolution in Panama the naval forces of the United States were the deciding factor. Without their backing, and without our hasty recognition of the new republic, after several years the rev-olutionists might have found themselves fighting for their independence. It is easy for the uninformed to laugh at the revolutions in Central America; but it should be remembered that the last real it on both sides, ten thousand lost ney. Nov. 10, '03. their lives,

GRUMBLERS GREAT

Grumbling Will Cease if Hono lulu People Follow This

Advice.

Backache is the first grumbling warn-

The kidneys give it. if you heed it Look out for trouble, it will surely sold by all druggists at 50 cents a box, six boxes for \$2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the

Hawailan Islands. Urinary trouble, kidney trouble and

Doan's Backache Kidney Pills are made for kidneys only. They cure every form of kidney iii. on Walanus The experience of Honolulu people Nov. 5, '03.

Here's a case in point. Mr. F. Metcalf, of this city, gives us the following information: "I was af-flicted with a painful feeling in my back for over five years. The various remedies resorted to did me no good, until, failing in with the advice of a friend (Mr. W. J. Maxwell), I procured at the Hollister Drug Co.'s some of Doan's Backache Kidney Pills. I had hardly finished taking them when the pain left me altogether, and I now feel that I have been completely cured of the terrible suffering I underwent for-merly. By keeping a box of the pills in the house I am fortified against any possible return of my complaint at future times. It seems almost miracu-lous that the pains should have van-

ished so speedily. All sufferers from backache should get some of Doan's Backache Kidney Pills."

Doan's Backache Kidney Pills are

WHEN SUFFERING from a cold and you fear an attack of pneumonia, secure a bottle of Chamberlain's Cough Remedy and use it judiciously. There is no danger from this disease when this remedy is used. It always cures and cures quickly. For sale by all dealers and druggusts. Benson, Smith

HERE ONCE MORE

Sixto Lopez, the noted Filipino leader who was one of the heads in the insurrection under Aguinaldo, is again in Honolulu. He arrived yesterday on the Doric en route to Nagasaki, and will probably remain in Honolulu for a couple of weeks.

The last time Mr. Lopez was a visitor here he narrowly escaped arrest at the instance of Major W. W. Robinson, who was depot quartermaster for the United States army at that time, and the late United States District Attorney Baird. There was a midnight session between these gentlemen and others and the whole matter of placing Lopez under arrest for treasonable utterances made over his signature and which appeared in the Advertiser as an interview, was discussed. It resulted in Lopez not be-

ing arrested, but it was a close shave. Sixto Lopez did not want to be interviewed yesterday. He was ad-dressed by an Advertiser man on the deck of the Doric while he was busy transferring his baggage ashore to be examined, but his desire was not to be interviewed in any matters.

"What is the object of your visit to Honolulu, Mr. Lopez?" was asked. "Oh, I'm just going to stay here a couple of weeks visiting friends, that's all," was the reply.

"Are you going to Manila, or any where in the Philippines?"

Mr. Lopez considered the question

for a short period and then replied that it was not his intention to do so yet, but that he would go to Nagasaki.

"Do you intend to look up the sugar industry while here, to apply it to the conditions in the Philippines?

"Well, I shall certainly take advantage of the excellent opportunity presented here to look up the advanced methods in making sugar, for I understand they use the finest machinery in the Hawaiian mills, but I am not looking into that industry particularly."
"Your sister, while here, took quite an interest in the production of sugar."
"Oh, yes, I know she is quite instand they use the finest machinery in

"Have you anything to say regarding the Philippine situation?" "No, I do not care to discuss that matter at present," was his reply.

And that ended the interview.

REAL ESTATE **TRANSACTIONS**

HONOLULU, OAHU.

Recorded Dec. 23, '03. Lee Wai to J. W. Podmore, B. S. L. 3 leaseholds in Honolulu, \$1.00, and to pay mtg of \$8,843.30. Dec. 22, '03.

S. C. Allen, Tr. Estate, to E. Johnson, Rel.realty on Pauahi St 13,024 sq. ft., on School St .3639 acres; at Mana-na, Ewa, nearly 5 acres, \$6,000. Dec.

B. M. Allen to A. Hocking, D realty at Makiki 2163 6-10 sq. ft., \$765.03. Dec.

D. H. Kahaulello, Tr., to P. Ioane, Rel. realty in Honolulu, Oahu, and in Hamakua, Hawaii, \$450. Dec. 22, '03. W. C. Achi to James F. Morgan, Tr., D realty at Mokauea, Kalihi, \$1, Dec.

E. K. Meyer of Kalae, Molokal, to Joe Andrade of Honolulu, power of attorney. Sept. 8, '03.

J. W. Podmore to Allen & Robinson, mtg 4 leaseholds in Honolulu, \$3,900, payable in quarterly installments of \$500 each, at 7 per cent. per annum, payable quarterly. Dec. 23, '03.

U. S. Fidelity and Guaranty Co. to L. H. Robertson et al. nowen of city

EWA, OAHU. H. M. von Holt, Tr., to Hawailan Land and Improvement Co., Ltd., D lots 15, 16, 17 and 18, blk 19; lot 9, blk 14, Pearl City, and por. of Ahuapuaa of Waimalu, 2 28-100 acres, Ewa, \$1.

J. D. Holt, Jr., to Haw'n Land and Imp. Co., Ltd., D lot 27, blk 14, Pearl

City, \$110. Dec. 7, '03. W. F. Frear to Haw'n Land and Imp.

Co., Ltd., D lots 9 and 24, blk 16, Pearl City. \$220. Nov. 30. '03. H. A. Giles to Haw'n Land and Imp. Co., Ltd., D lot 4, blk 21, Pearl City, \$110. Dec. 19, '03.

W. M. Graham to Haw'n Land and Imp. Co., Ltd., D lots 17, 18 and 19, blk 14, Pearl City, \$330. Dec. 5, '03,

J. M. Atherton to O. R. & L. Co., D realty at Pearl City, \$1. Dec. 18, '03. HILO, HAWAII. First Bank of Hile to G. H. Williams

and wf Rel, realty at Hilo, 3648 sq. ft., \$750. Dec. 17, '03. W. Clark to J. G. Serrao, L realty on Walanuenue St, 30 yrs at \$250 a yr.

LAHAINA, MAUI. H. A. Isenberg to Pioneer Mill Co., L realty at Waianae 1 95-100 acres;

time 50 yrs; \$150, being full remunera-tion thereof. Dec. 14, '03. HONOLULU, OAHU. Recorded Dec. 24, 1903.

Western & Hawn Ivestment Co. Ltd. to A. N. Campbell, Tr., D Realty at Kaliu, 11165 sq. ft.; \$2400.00. Oct. 6

First Amer. Sav. & Tr., Co. Ltd. to

Gear Lansing & Co., Par rel., Lots 8, 10, 12 & 13 Blk 33, Kaimuki Tract, Kapahulu; \$300.00. Dec. 22, 1903. First Amer. Sav. & Tr. Co. Ltd to Gear Lansing & Co., Par rel., Lots 13 & 14 Blk 51 and lot 19 Blk 42, Kaimuki Truct, Kapahulu; \$225.00. Dec. 22, 1903. First Amer. Sav. & Tr. Co. Ltd. to Gear Lansing & Co., Par rel., Lots 10, 12, 14 & 15 Blk 48, Kaimuki Tract, Ka-

pahulu; \$300.00. Dec. 22, 1903.
Port. Mut. Ben. Soc. to F. F. Branco. Rel. Lots 444 & 445. Punchbowl Lots, 15000 sq. ft. June 15, 1900.

Kall to A. N. Campbell, Ta, Mtg.

Realty at Walkiki, .842 acre; \$125.00. yrs. @ 1 per cent. per mon. Nov. 9

J. K. & R. N. Boyd to A. N. Campbell, Tr., Mtg. Realty at Auwaiolimu, 28728 sq. ft.; \$500.00 3 yrs. @ 9 per cent, Dec. 19, 1903.

Hair 55 Inches Long Grown by Cuticura.

NEWBERT & SONS, 27 and 23, Charterhouse Square, London, E. C., a strange soft, glossy hair cut from her own head and measuring fifty-five inches in len

of which the annexed drawing is a photographic fac-simile. She attributes her magnificent head of hair to frequent shampose with CUTICURA SOAP, followed by light dressings of CUTICURA gently rubbed infothescalp. Previous to the use of CUTI-CURA, her hair was dry, thin, and lifeless. and came out in haudfuls to such an extent that she feared she would lose soon it. This is but one of many remarkable cases of the preservation and restoration of the hair in seemingly hopoless cases by warm shampoos with Curreura Soap, followed by light dressings of Curreura, purest of emollient skin cures. This treatment at once stops falling hair, clears the scalp of crusts, scales, and dandruff,

some, healthy scalp, when all else fails. MILLIONS OF WOMEN use Cuticuna Soar exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, and for all the purposes of the toilet, bath, and nursery.

soothes irritated, itching surfaces, stimulates the hair follicles, supplies the roots

with energy and nourishment, and makes

the hair grow on a clean, sweet, whole-

Complete External and Internal Treatment for Erery Humour,

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PFICE 25 CENTS.

JAPAN HAS NEARLY REACHED A WAR FOOTING

YOKOHAMA, Dec. 30.-The Government has almost concluded the work of putting the country on a war footing.

SHANGHAI, Dec. 30 .- It is understood that Russia is inclined to make concessions to China in Manchuria. The Empress-Dowager favors an alliance with Japan.

TOKIO, Dec. 29 .- An emergency order has been issued which invests the Japanese government with practically unlimited credit to advance military defense in case of emergency.

CAPETOWN, Dec. 30 .- It is feared there will be a general Hottentot uprising in German territory.

termination and the second second ARRIVED.

Tuesday, Dec. 29. Am. bk. Annie Johnson, Nelson, 26 days from San Francisco, at 10 a. m. Wednesday, December 30.

Stmr. Lehua, Napala, from Molokai ports, at 4:30 a. m.

Mikahala, Gregory, from Kauai ports, at 6 a. m. Am. stmr. Conemaugh, Baring, days from Nanaimo, at 10:30 a. m.

Am. schr. Alice Cooke, Penhallow, 24 days from San Francisco, p. m. Am. ship Marion Chilcott, Williams, 18 days from San Francisco, p. m. The Mauna Loa is due today from Kona and Kau ports.

DEPARTED.

Tuesday, Dec. 29. U. S. Battleship Kentucky, Capt. Robert M. Berry, commanding, for Guam and Cavite, at 10 a. m.

Uriel Sebres, commanding, for Guam and Cavite, at 10 a. m.
U. S. Eattleship Oregon, Captain

Guam and Cavite, at 10 a. m. U. S. Cruiser Raleigh, Commander Arthur P. Nazro, commanding, for Mid-way, Guam and Cavite, at 10 a. m. S. Cruiser Cincinnati, Commander Newton E. Mason, commanding, for

Midway, Guam and Cavite, at 10 a. m. U. S. Cruiser Albany, Commander John A. Rodgers, commanding, for Midway, Guam and Cavite, at 10 a. m. U. S. Cruiser New Orleans, Commander S. B. Harber, commanding, for Midway, Guam and Cavite, at 10 a. m. O. & O. S. S. Doric, Smith, for the Orient, at 12 m.

Stmr. Kinau, Freeman, for Hilo and way ports, at 12 m.

Stmr. Maul, Bennett, for Maul ports, at 5 p. m. Stmr. W. G. Hall, Thompson, for

Eleele, Hanapeoe, Nawiliwili, Kolos, Abukini and Hanamaulu, at 5 p. m. Schr. Moi Wahine, Kuanone, for Kohalalele, at 4 p. m.

Wednesday, December 30. O. S. S. Alameda, Dowdell, for San Francisco at 9 a. m.

Am. stmr. Argyll, Gillboy, for San Francisco, at 8 a. m. Stmr. Lehua, Napala, for Maul, Molokal and Lanai ports, at 5 p. m.

> PASSENGERS. ARRIVED.

From Kauai ports, per stmr. Mikahala, Dec. 30: Mrs. De la Nux and 2 children, R. M. Macaulay, Y. Adachi, S. Yoneshina, Capt. E. Camara, J. F. MacFaddyen, W. Ah Church, Mrs. Prosser, Mrs. Thatcher, Miss Thatcher, I. Tobriner, J. Bush, A. D. Wishard, and 36 deck.

From Molokai ports, per stmr. Lehua. Dec 30: Harry Bartell, Louis Aylett and 3 deck.

Departed.

Per stmr. Maul, Dec. 29, for Maui ports.-George Copp and wife, Mrs. M. Kanela, Mrs. Kamanoulu and 2 chil-A. B. Stillman and wife, Mrs. E. H. Lewis, Mrs. C. H. Brown and child, A. MacKillop, R. Catton, Miss L. Ayau, W. J. Coelho, Miss E. Tooney.

Per stmr. Kinau, Dec. 29, for Hilo way ports .- A. K. Nawahi and wife, Robert Akeo, G. Koshi, Mrs. J. W. Manning and 2 children, H. N. Burton, A. R. Askew, E. W. Ellis, Mrs. Maloney, M. A. Rycroft, Dr. A. C. Wall, S. Peiser, G. H. Dunn, J. A. Perreida, H. F. Sturtevant, S. K. Mahoe, J. G. Watson, A. Akina, Mrs. C. B. MacKenzie. H. D. Meyer, wife, child and servant: Miss Hadley, Julian Monsarratt and

wife, J. Opfergelt, E. B. Lange. Per stmr. W. G. Hall, for Kauai ports, Dec. 29.—Francis Gay, Mrs. Francis Gay, Miss Lacey, Miss Mengler, Master Ernest Gay, J. D. Cooke, Hee Fat. Hee Koon, Chong Hing J. W. Cathcart, Miss Forest, E. A. Douthitt.

Shipping Notes.

sugar from Kahului to San Francisco, sailing next Saturday.

The American-Hawaiian S. S. Nevadan is due to sail January 16 from San Francisco for Honolulu.

The steamship Pennsylvania arrived at Kahului, from Comos, British Columbia. December 25, with 3000 tons of After entering there the vessel went to Kaanapali the same day arriving at 7 p. m.

Shipping Notes.

The steamship Nevadan will sail from San Francisco for Honolulu on January 18.

The schooner Alice Cooke arrived in ort yesterday afternoon from San Francisco, twenty-five days out.

Paymaster Perkins of the cruiser Albany, and his clerk, departed for San Francisco yesterday on the Alameda.

The starboard anchor lost in the har bor by the naval transport Solace on December 24, was located and buoyed yesterday by Young Brothers.

William Turndrove is alleged to have been missing from the barkentine En-core since last Sunday. He is first mate of the vessel. He received \$5 from the cantain on that date. He has been

eawakapu landing on Maul was The landing is located be- the supreme law." tween Makena and Kihei, and is said guage by the Supreme Court of Mis-to have cost about \$2,000. It was 150 sissippl is approved by the U. S. Sufeet in length and only thirty feet of it preme Court in Grenada vs. Brown, 112 manner. remain intact.

(Continued from page 1.) tion that journals of legislative proceedings may be used to impeach enrolled acts.

THE PRAYER.

Many cases are cited at some length under this head, and the brief closes with the prayer "that the County Act be declared void, and that the case be remanded to the First Circuit Judge of the First Judicial Circuit, with instructions to render judgment that the defendants are not qualified nor legally entitled, to act as Supervisors."

SUMMARY OF THE **DEFENDANT'S BRIEF**

Judge Hartwell prepared the brief for the defendants. As it contains seventeen legal cap pages of typewrit-U. S. Battleship Wisconsin, Captain ing, there is only room here for the leading statements of its points. What is omitted consists of the elaboration William T. Burwell, commanding, for of these statements, together with coplous citations of authorities. Beginning with the question of the court's jurisdiction, the brief takes up the points of the complaint seriatim. The following extracts will show the sequence and the main substance of the argument presented orally by counsel

1. Jurisdiction.

No dilatory defense is made in this case for there is none which has merit and the defendants do not seek delay in the decision concerning their legal On the contrary, they concapacity. sider that the public interests and also their own require that their official right be ascertained at as early a date as is consistent with the regular judicial procedure.

But in order that it may not appear o the Court that the defendants have taken for granted, and without careful examination, that the Court has jurisdiction in this matter to decide upon the validity of the Act under which the defendants were elected as Supervisors of the County of Ochu and un-der which Act they claim to be Supervisors, have qualified as such by taking their oaths of office, giving their official bonds and accepting their certificates of election as such Supervisors. and in further conformity with which Act they are exercising their official functions by fixing bonds for other County officers, they present the following authorities:

The Statute (Sec. 1635 C. L.) defines writ of quo warranto as "an order ssuing in the name of the Territory by the Supreme Court in term or by any Justice thereof in vacation, and directed to a person who claims or usurps an office in a corporation, inquiring by what authority he claims to hold such office." This Actabeing Chapter 39 of the Session Laws of 1876, does not appear to have been expressly repealed except by inference in the Judiciary dren, Miss H. Keanu, W. E. Devereux, Act of 1903, by implication, the latter Act not giving the Supreme Court or any Justice thereof jurisdiction to issue writs of quo warrar to, while the power is given to Circuit Judges at Chambers.

> So far, however, as the nature of the properly be regarded as still in full

But even at common law the acts already done by the Supervisors in Act is void for this reason. their official capacity would, if unauther billing tason of the invalidity of is void if it contains more than one the County Act, be equivalent to a subject applies only in those cases in

No stronger case than this can be presented for the exercise of the judital power to determine upon the validity of the County Act. sult from acts done under an unconsti- termine which Act, or rather which tutional Act, it would be better for part of the Act, is void and which is all concerned to know, before County the Act is invalid than to wait until The Nevadan will carry 3,000 tons of the mischief is done which might and formed under an unconstitutional stat-In no case is quia timet jurisdiction in equity, or bills of peace or to remove a cloud upon title invoked upon broader or clearer grounds than those on which the jurisdiction of this Court rests in the present case.

> 2. The Rule of Construction: to sustain the Act if possible.

The County Act, according to this rule, must be sustained unless clearly in violation of the Organic Act. Numerous cases cited in the Attorney General's brief in the case of the Board nection, are fairly well embraced in of Public Institutions against the Superintendent of Public Works recently decided in this Court, are referred to as amply sustaining this rule. Court itself in its opinion in that case

approved the rule. The Court in Presser vs. People, 116 U. S. 252, said: "It is a rule of construction that a statute must be in-terpreted so as if possible to make it consistent with the Constitution and

the laws. the law-making department of the Government intended to usurp or aste vessel about two years and sume power prohibited to it. And such construction, if the words will admit of it, ought to be put on its leg- had complied with the provisions of the d during the severe storms of islation as will make it consistent with The foregoing lan-

THE OLD RELIABLE THERE IS NO SUBSTITUTE

3. The County Act is valid notwithstanding each and every objection to its validity mentioned or suggested in the plaintiff's petition.

The power of the Legislature to make whatever changes are made by the County Act in the functions and duties of the Territorial offices prescribed by the Organic Act is to be found in the express power given to the Legislature by the Organic Act to "create counties and town and city municipalities within the Territory of Hawaii and provide for the government thereof," (Sec. 56, Organic Act). It must be taken to be true that Congress granting this express power intended to modify and call special attention to the importance, in its opinion, of the exercise of the legislative power, inasmuch as the power would have existed under the general grant of legislative power extending "to all rightful subjects of legislation not inconsist-ent with the Constitution and laws of the United States locally applicable." (Sec. 55 Ib). It also ought to be taken to be true that the kind of County Government intended by Congress was the same kind with which every member of Congress was familiar, which gave to the electors of each County similar powers with those of Hawaiian electors by the Hawaiian County Act now before the Court.

As to the County Act containing two subjects.

This subject was very elaborately argued and was decided in the Cooper case above mentioned. There is no doubt about the general rule that where two subjects are contained in an Act and only one of them is expressed in the title the Act is good so far as that portion of it which is expressed in the title. As the Supreme Court say in Unity vs. Burridge, 13 Otto 447, such a case the provisions of the law touching the object which is expressed in the title must stand. Those relating to the other objects not expressed in the title alone fall." By such a construction applied to the County Act only that portion referring to the Board of Public Institutions is void.

This court has held in the Cooper case that the requirement of the Organic Act "that each law shall embrace but one subject which shall be expressed in its title" is mandatory and not directory.

That decision also held that the portion of the County Act which provides for "the management and control of public works and public institutions therein" is void, being a separate and distinct subject from the main subject of the Act as shown in the title, towit: "An Act providing for the organization and government of Counties writ and its functions are defined by linet subject "with which the Counties were to have nothing to do."

But it does not follow either on principle or authority that the rest of the

The rule that the whole of an Act Rev. S. L. Desha, H. A. Gross and the County Act, be equivalent to a subject applies only in those cases in wife, William Mutch, wife and child, usurpation or assumption of the office. tween the two subjects, holding the Act valid as to the one and void as to the other.

"But this rule will apply only in In view of those cases where it is impossible for the irreparable injury which would re- an inspection of the Act itself to de-Where this can be done the government is in full operation that rule does not apply, unless it shall appear that the invalid portion was signed as inducement to pass the valid. naturally would follow from acts per- so that the whole taken together will warrant the belief that the Legislature would have passed the valid part alone." Ib. Sec. 103.

All this is explicitly recognized by the Court in the Cooper decision in which case the Court say of Section 45 of the Organic Act requiring each law to have but one subject that It "should be liberally construed;" and that an Act "should not be held void on the ground that it conflicts with this provision except in a clear case." Also that "It is sufficient if the various parts of an Act have a natural conone subject though somewhat general and expressed in the title."

(d) As to the claim that the County Act was not properly passed in consequence of the House not adopting the conferees report by an aye and no vote, failing to take a separate aye and no vote on the express question, shall the bill as now amended be passed.

Before considering the effect upon the validity of the County Act of the "It ought never to be assumed that above mentioned legislative procedure, the Court would have to decide that it can and ought to go behind the Act itself and consult the Journal of the House to ascertain whether the House Organic Act concerning legislation.

Defendants' counsel submit that this inquiry will not be made and that the Act itself cannot be impeached in that The common law rule for this is that the House Journal is not tion in London.

a record although required by the Organie Act.

The general reasoning on which Courts refuse to look into legislative journals for the purpose of impeaching the legality of the enactment of a statute is that the journal is liable to be tampered with or being hastily pre-pared to omit by mistake maybe things which we know were done by the Legislature and fall to record correctly what was done.

A further reason for the same view is that no one could rely on a law being valid until he had seen the journal of each House and ascertained whether the law had been enacted correctly Even then it would be essential, before finally concluding that there was a law to walt until the Courts had passed upon these things. All this in many cases would work incalculable harm and uncertainty and cause grievous uncertainty about the validity of be published or be accessible to the public at large for a long time after the laws are published and take effect. In Field vs. Clark, 143 U. S. 649-671 (36 L. E. 294-303) this question was fairly presented.

While claiming, then, as defendants' counsel do, that the County Act cannot be impeached by showing from the House Journal that it was not enacted as required by the Organic Act, upon passing to a third reading, it is also submitted that the showing made from the House Journal, if admitted as competent testimony, would not be sufficlent to invalidate the Act.

It appears before the Act went to a Conference Committee it had been read three times in the House and it is to be inferred that upon the third reading the ayes and noes were taken.

Amendments "are not subject to the same rule as bills in regard to the number of readings. They must be germane to the subject of the bill and are not required to be read three times nor does concurrence by one house in amendments made by the other require the ayes and nays and their entry upon the journal under the provision for these things on the final passage of bills." Sutherland, Sec. 49 and cases cited from Ohlo, South Carolina and Illinois.

There is no doubt that it was the intention of the House upon adopting by an aye and no vote the report of the Conference Committee, to pass the bill as amended. If the chairman had put the question: "Shall the conferee report be adopted and the bill passed?" there would be no question that the bill was passed, and it is submitted that the adoption of the conference report, taken in the formal manner in which it was taken by ayes and noes, is fully equivalent to the passage of the bill as amended.

There are not wanting cases that such requirement in the Organic Law is directory and not mandatory and that a failure to comply with it does not invalidate the law. Such appears to be still the law in Ohio and was the law in California until its new Constitution made the requirement impera-State vs. Corrington, 29 tive. 102; Washington vs. Page, 4 Cal, 388; Pierpont vs. Crouch, 10 Cal. 315.

Is not the law of the great States of Ohio and California good enough for Hawaii, at any rate in its early efforts at territorial legislation? Is it necessary that the Court should seek from all the States in the Union for decisions on which to invalidate County Act? Is it not at liberty to apply its own convictions of right and justice in this matter?

Certainly with the authority of the Supreme Court of the United States above mentioned this Court would be amply justified in refusing to declare the County Act invalid for the reason last above mentioned. On all of the grounds, therefore,

which have been presented and upon each of them the claim that the County Act is not made invalid but stands as the law of the Territory.

FATHER CLARK'S ONE DAY IN HONOLULU

Cablegrams and letters have for some time been flying back and forth between Australia, New Zealand, Tasmania and the headquarters of the United Society of Christian Endeavor and is a beautiful block of land. in Boston, at a surprising rate; and they all relate to the proposed visit of the President of the United Society to Sparke Sheep Ranch. This is prob-Australasia.

For a long while the invitation has been extended and often urged, but hitherto Dr. Clark's duties in other parts of the world have prevented him from repeating the visit he first made to these great colonies eleven years ago. But at length he felt that it should be delayed no longer, and he has probably sailed from San Francisco on the Sierra en route to Australia, and will spend one day in Hono-

Active preparations have been made in Australia for the visit, and conventions have been arranged for to all the large Australasian centers of popula-

lulu

One month will be given to New Zealand, nearly two months to the different states of Australia, and a few days to Tasmania

The committees in charge of the proposed meetings are arranging to pub-lish articles concerning Christian Endeavor in all the leading papers, both secular and religious, with many pictures of Christian Endeavor leaders and Christian Endeavor scenes in many lands .- They also propose have lantern lectures about the society and its work in many of the larger cities, in preparation for this three months' campaign.

Dr. Clark has been assured from many sources that his visit just now will come at a "strategical time." He expects to return by way of Europe. attending the great European conven-

Sale To Liquidate Copartnership of Ranch Company.

Puuloa Sheep and Stock Ranch Comed of George W. Macfar lane, E. C. Macfarlane and Henry R. Macfarlane, having been dissolved by the death of E. C. Macfarlane, February 16th, 1902, for the purpose of final- upon. Legislative journals may not ly liquidating and closing the said copartnership with the consent of the thereof, the undersigned, survivors George W. Macfarlane, Fred W. Macfarlane and Henry R. Macfarlane, executors, and Florence B. Macfarlane, executrix, of the Last Will and Testament of E. C. Macfarlane, deceased, duly appointed, qualified and acting, having filed a certain verified petition in the matter of the said Estate of E. C. Macfarlane, deceased, in the Circuit Court in and for the First Judicial Circuit of the Territory of Hawaii, in which the matter of the said estate then was and now is pending, before the Honorable George D. Gear, Second Judge of said Circuit Court, sitting at Chambers, and made returnable before the said Honorable George D. Gear, as said Judge, on Monday, November 16th, 1903, at 10 o'clock a. m, of that day, and the said petition having been duly heard and granted by said Honorable George D. Gear, as said Judge, on the date last aforesaid, and the said Honorable George D. Gear, on November 24th, 1903, having duly signed an order, judgment and decree granting the prayer of said petition, and, on December 1st, A. 1903, having also signed an order modifying and amending the said order, decree and judgment, as by reference to the said petition and orders, on file in said Circuit Court, and to all the proceedings relative thereto, will more fully and at large appear.

Now therefore: Under the law and the proceedings and each of them aforesaid, for the purpose of finally liquidating and closing the copartner-ship aforesaid, and in conformity with the order, judgment and decree afore said, to which the survivors of the said copartnership, George W. Macfarlane and Henry R. Macfarlane have consented in writing, as by the petition aforesaid fully appears, the under-signed, George W. Macfarlane and Henry R. Macfarlane, survivors of the said copartnership, as said survivors, and the undersigned, George W. Macfarlane, Fred W. Macfarlane and Henry R. Macfarlane, executors, and Florence B. Macfarlane, executrix, of the Last Will and Testament of E. C. Macfarlane, deceased, will offer for sale and will sell as a whole, at public auction, through James F. Morgan, auctioneer, hereby chosen and designated for that purpose, at the auction sales rooms of said James F. Morgan, Nos. 847-857 Keahumanu street, in the city of Honolulu, Island of Oahu, Territory of Hawall, on Saturday, January 1904, at the hour of 12 o'clock M. of that day, to the highest bidder, be-yond or for the sum of twenty thouand dollars, the entire property, assets, and goodwill of the said Puuloa Sheep and Stock Ranch Company. consisting of the following, viz:

DESCRIPTION OF PROPERTY.

List of Freehold and Leasehold Lands and Improvements, Sheep and other Live Stock and Property owned by the Puuloa Sheep and Stock Ranch Company, viz:

LAND OF OULI, Ahupuaa, contain-

ng 4,000 acres, more or less, and extending from the sea, near Kawaihae to the top of the Kohala range of mountains, with a stream of water running through same, said stream having its origin in those mountains. LAND AT LIHUE, in Waimea, the former homestead of James Luzada and Frank Spencer, and formerly the headquarters of the Lihue Cattle Ranch and Beef Packing Establishment, adjoining the land of Ouli and stream of water running through it. containing 50 acres. This also has a

LAND OF AHULI, in Waimea, the former homestead of Edward Sparke, and formerly the headquarters of the ably the finest residence site in the district of Walmea, and is a magnifi-cent block of land having an area of 22 acres, through which there is also a running stream of pure water.

There are valuable stone fences and ens on the above properties.

The two last mentioned fine blocks of land are very advantageously situated, and are almost in conjunction with the fine residence property of the late Hon. John P. Parker, the headquarters of the Parker Cattle Ranch.

These lands are covered with fine Manienie Grass, ornamental trees, &c. and the climate of this locality has no rival anywhere else in the islands, being at an elevation of 2700 feet and at the base of snow-capped Mauna Kea, where the average temperature is from 50 deg. to 60 deg.

LEASED LANDS.

LEASE OF THE LAND OF HOLO-UKAWAI, near Waimea, from the Hawaiian Government, containing 10351/2 acres, and expiring January 10th, 1909. Rent, \$62.25 per annum. There are two streams of water from Mauna Kea through this land. LEASE OF LAND AT WAIMEA

ing 258 acres, expiring June 1st, 1908. Rent, \$250 per annum. The boundary of this land on one side is on the Walkoloa stream.

LEASE OR MEMORANDUM OF AGREEMENT between the Puuloa Sheep and Stock Ranch Company and John P. and Samuel Parker, for running sheep on a portion of the large Puuloa Sheep and Stock Ahupuaa of Walkoloa, in exchange for Ranch of running cattle on the Sheep Ranch of running cattle on the Sheep Co.'s lands. This agreement expires in

There is also a lease, just expired, of Crown lands in Waimea, which the Puuloa Sheep & Stock Ranch Co. and The copartnership known as the its assigns, have held for 50 years, containing 679 acres, of which they are now in possession; and they have made application to the Territorial Government for a renewal of the lease. This application has not yet been acted

THE IMPROVEMENTS.

Consist of a Dwelling House of Manger at Keamoku, Men's Quarters, Large Shearing Shed, Yards, Pens, Wire Fences, Stone and Cement Cisterns, &c., and the following appurenances, vfz: Wool-Press, Iron Water Tanks, Redwood Water Tanks, Harness, Furniture, Scales, Sheep-Shears, Wool Packing, &c., &c., and the following:

LIVE STOCK.

7,000 Sheep, more or less, including Ewes, Rams and Lambs;

25 Work Horses; 40 Mares and Unbroken Foals;

6 Team Horses and Hauling Wag-The whole comprising a complete

Sheep and Stock Ranch. The sheep are principally of the Merino breed, crossed with Southdown and Shropshire, and the wool produced by the Ranch has always commanded he highest price in the Hawaiian Wool Market.

TERMS OF SALE.

No bid for less than twenty thousand dollars, in gold coin of the United States, will be received.

Cash, in gold coin of the United States, payable as follows:

1. Ten per centum of the purchase price, at the time of sale, upon the fall of the hammer, to be paid either in gold coin of the United States to the survivors above named, George W. Macfarlane and Henry R. Macfarlane, or in a certified check or certified checks, payable to their order.

2. The remainder of the purchase price, within ten days after confirmation of the sale by the Judge of said First Circuit Court, before whom the said Estate of E. C. Macfarlane, deceased, may then be pending, and, upon the execution and acknowledgment by the undersigned, survivors, executors and executrix as aforesaid, and by each of them individually, of all conveyances, deeds, bills of sale, and other instruments, necessary to the full consummation of said sale and to the vesting of the title to the said property, real and personal, and of the good will of the copartnership aforesaid, in the purchaser, and concurrently with the delivery of the same and of cossession of the said property to the purchaser.

All deeds, bills of sale, and other paers at the expense of the purchaser. Further particulars can be obtained at the law office of Henry E. Highton, corner of Fort and King streets, at the law office of Hatch & Ballou, Stangenwald Building, Honolulu, or from the indersigned, George W. Macfarlane or Henry R. Macfarlane.

Dated Honolulu, H. T., December 1st, A. D. 1903.

GEORGE W. MACFARLANE, HENRY R. MACFARLANE, Survivors of the Copartnership of Puuloa Sheep and Stock Ranch Com-

GEORGE W. MACFARLANE, HENRY R. MACFARLANE, FRED. W. MACFARLANE, FLORENCE B. MACFARLANE, Executors and Executrix of the Last Will and Testament of E. C. Mac-

farlane, deceased.





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